

AN ACT FINANCING IMPROVEMENTS TO THE COMMONWEALTH'S TRANSPORTATION SYSTEM.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith finance improvements to the Commonwealth's transportation system, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. To provide for a program of transportation development and improvements, the sums set forth in sections 2A to 2G, inclusive, for the several purposes and subject to the conditions specified in this act, are hereby made available, subject to the provisions of law regulating the disbursement of public funds and approval thereof.

NO SECTION 2.

SECTION 2A.

EXECUTIVE OFFICE OF TRANSPORTATION AND PUBLIC WORKS

Department of Highways

6033-0817 For the design, construction and repair of or improvements to nonfederally-aided roadway and bridge projects and for the nonparticipating portion of federally-aided projects; provided, that the costs of professional personnel directly and exclusively involved in the construction, planning, engineering and design of the projects funded herein may be charged to this item; provided further, that those costs shall not be classified as administrative costs; provided further, that the amounts specified in this item for a particular project may be adjusted in order to facilitate other projects relating to the design, construction, repair or improvement to nonfederally-aided roadway projects; provided further, that \$800,000 shall be expended for resurfacing and related work on state highway route 3 in the town of Plymouth; provided further, that \$1,000,000 shall be expended for the construction of sidewalks in the South street bridge area and along the section of Manley street from West Center street to West street, all in the town of West Bridgewater; provided further, that \$100,000 shall be expended for a traffic improvement study of route 2, route 13 and the Nashua river in Northern Worcester county; provided further, that \$3,000,000 shall be expended for the resurfacing of Washington street in the city of Somerville; provided further that \$750,000 shall be expended for the design and construction of traffic signals at Main street, Alexander avenue, Harvard avenue, and Willis avenue in the city of Medford; provided further that \$50,000 shall be expended for the design and construction of school zone signage, pedestrian landing areas and crosswalks on route 44 in the town of Rehoboth, provided further, that \$110,000 shall be expended for the design and installation of Opticom or similar emergency vehicle signals for the public safety complex on route 44 in the town of Seekonk; provided further, that \$1,000,000 shall be expended for the Main street economic development project in the town of Lee; provided further, that \$150,000 shall be expended for the Greater I-495/Metro West economic and demographic study; provided further, that \$350,000 shall be expended for lighting improvements to the new Parker river bridge or the North and South approaches to the bridge on route 1A in the town of Newbury; provided further, that \$1,700,000 shall be expended for the rehabilitation of the Rockland street bridge in Hingham; provided further, that \$700,000 shall be expended for the design, reconstruction and signalization of Amostown road at the Dewey street intersection in the city of West Springfield; provided further, that \$300,000 shall be expended for the design of West Main street in the town of Georgetown; provided further, that \$400,000 shall be expended for the design and construction of traffic signals on route 114 at Hillside road in town of North Andover; provided further, that \$4,430,000 shall be expended for the design and reconstruction of Goldsmith street in the town of Littleton; provided further, that \$469,000 shall be expended for replacement of a bridge

located on Meadowbrook road in the town of Chelmsford; provided further, that \$860,000 shall be expended for the reconfiguration of Nonantum road in the city of Watertown; provided further, that \$8,400,000 shall be expended for the rehabilitation of the Tyngsborough bridge; provided further, that \$250,000 shall be expended for improvements to route 9 between Southboro and Wellesley; provided further, that \$1,500,000 shall be expended for improvements to route 9, route 27, and the route 9 and Oak street intersections in the town of Natick; provided further, that \$3,800,000 shall be expended for the design and construction of the Central Massachusetts Emergency Operations Center Access road and bridge at the Worcester Fire Headquarters, located at 141 Grove street in the city of Worcester; provided further, that \$500,000 shall be expended for the design and engineering costs associated with the construction of a bike and pedestrian rail-trail connecting the towns of Wakefield and Lynnfield; provided further, that \$6,000,000 shall be expended for the widening and improvements to route 85 Washington street corridor in the town of Hudson; provided further, that \$1,200,000 shall be expended for the installation of traffic signals at 3 intersections in West Bridgewater; provided further, that \$10,000,000 shall be expended for the design and construction of a parking garage in the city of Revere; provided further, that \$15,000,000 shall be expended for the design and construction of a parking garage in the city of Salem; provided further, that \$50,000 shall be expended for improvements to Story Street Road in the town of Essex; provided further, that \$250,000 shall be expended for the Billerica Center to improve traffic flow; provided further, that \$200,000 shall be expended for the widening of route 139 in the town of Marshfield; provided further, that \$7,000,000 shall be expended for resurfacing and related work on state highway route 6 in the town of Westport; provided further, that \$400,000 shall be expended for the design and reconstruction of the Summer street and George Washington boulevard in the town of Hingham; provided further, that \$535,000 shall be expended for culvert repairs at Parish road, West street and Penn Brook in the town of Georgetown; provided further, that \$4,500,000 shall be expended for the construction of the reclamation of route 32 project from the Athol town line to the New Hampshire state border; provided further, that \$2,250,000 shall be expended for the design and construction of a parking deck in Gardner; provided further, that \$850,000 shall be expended for an engineering study, design, and construction for a traffic signal and intersection improvements on Route 9 in the town of Williamsburg; provided further, that \$2,000,000 shall be expended for the reconstruction of sidewalks surrounding the University avenue bridge in the city of Lowell; provided further, that \$500,000 shall be expended for the design and construction of Harrison avenue in the town of Avon; provided further, that \$800,000 shall be expended for the design and construction of traffic signals at the intersection of Main street and route 16, South Street, and Mystic avenue in the city of Medford; provided further, that \$3,000,000 be expended for improvements to route 138 in the town of Milton to the town of Stoughton; provided further, that \$1,500,000 shall be expended for the design and construction of a pedestrian footbridge over route 114 near Lawrence high school; provided further, that \$1,000,000 shall be expended for the Union crossing project in the city of Lawrence; provided further, that \$11,000,000 shall be expended for the design and construction of sound barriers along routes 128 and 93 in the towns of Woburn and Burlington; provided further, that \$10,000,000 shall be expended for the reconstruction of a section of route 140 from the town of Sterling to the town of Westminster; provided further, that \$1,750,000 shall be expended for the design and reconstruction of Rockland street in the town of Hingham; provided further, that \$500,000 shall be expended for the purchase of railroad land in the town of Haverhill; provided further, that \$600,000 shall be expended for the repair and rehabilitation of town owned

bridges in the town of Andover; provided further, that \$144,000 shall be expended for the reimbursement to the Town of Boxford for the repair of Parker river culvert on route 133 in the town of Boxford; provided further, that \$500,000 shall be expended for the design and construction of signage and intersection improvements at route 97 and Lake street in the town of Haverhill; provided further, that \$250,000 shall be expended for culvert cleaning in the Frye road area in the city of Methuen; provided further, that not less than \$10,000,000 shall be expended for the redesign and reconstruction of, and improvements to, exit 19 of route 128 in the city of Beverly, including but not limited to construction of an overpass; provided further, that \$20,000 shall be expended for the design and construction of crosswalks on route 28 in the town of Milton; provided further, that \$367,000 shall be expended for the design and construction of sidewalks on Granite avenue in the town of Milton; provided further, that \$1,000,000 shall be expended for the town of Randolph repaving project; provided further, that \$1,200,000 shall be expended for repairs to North Main street in the town of Randolph; provided further, that \$357,000 shall be expended for traffic improvements at the intersection of route 62 and Glen road in the town of Wilmington; provided further, that \$400,000 shall be expended for the design and construction of traffic signals at the intersection of Main street/route 38 and Newton avenue in the town of Tewksbury; provided further, that \$180,000 shall be expended for the drainage, repaving, and reconstruction of Couture, Amie, Boulanger, and Camp Jahn roads in the Ponds section in the town of Southampton; provided further, that \$125,000 shall be expended for the repair of the Clement Street bridge in the Bay State section of the city of Northampton; provided further, that \$250,000 shall be expended for the additional costs related to the ongoing reconstruction of bridges on South road in the town of Westhampton; provided further, that \$150,000 shall be expended for the realignment of the route 5 and Hatfield street intersection in the city of Northampton; provided further, that \$50,000 shall be expended for the reconstruction of the highway maintenance facility in the town of Montgomery; provided further, that \$50,000 shall be expended for the design and engineering related to the repair of the Connecticut river dike and associated roadway in the town of Hatfield; provided further, that \$1,200,000 shall be expended for the reconstruction and signalization at Oak street in the town of Randolph; provided further, that \$1,000,000 shall be expended for the repair and reconstruction of Bay Road in the town of Stoughton; provided further, that \$1,450,000 shall be expended for the reconstruction of the section of route 27 from Bryantville center to the intersection of route 27 and route 36 in the town of Pembroke; provided further, that \$775,000 shall be expended for the design and construction of the route 16 signalization improvement project in the town of Milford; provided further, that \$1,000,000 shall be expended for intersection improvements and traffic signal installation at the intersection of route 3A/State road and Herring Pond road in the town of Plymouth; provided further, that funds shall be expended for the rehabilitation and installation of sidewalks along the section of route 110 between the town center and the new senior center in the town of Merrimac; provided further, that \$750,000 shall be expended for the refurbishment of the South Canal bridge in the city of Lawrence; provided further, that \$100,000 shall be expended for the installation of traffic signals at the intersection of Charles and Canal streets in the city of Malden; provided further, that funds shall be expended for roadway safety and other improvements to Main street in the town of Southborough; provided further, that \$6,000,000 shall be expended for the construction of a new, full interchange on interstate highway route 93 between interchanges 41 and 42; provided further, that not more than \$4,000,000 shall be expended for the design and construction of a parking deck in the city of Westfield; provided further, that not more than

\$6,200,000 shall be expended for the I-495/route 126 interchange improvement project in the town of Bellingham; provided further, that not more than \$3,000,000 shall be expended for the replacement of the Chapaquoit bridge in the town of Falmouth; provided further, that not more than \$100,000 shall be expended for the completion of the East street revitalization project in the town of Ludlow; provided further, that \$100,000 shall be expended for the replacement of the Dilla street bridge at Louisa Lake in the town of Milford; provided further, that \$9,200,000 shall be expended for signalization and roadway improvements to the state highway route 116 and Main street corridor in the city of Springfield from interstate highway route 91 northbound off-ramp at interchange 10 to the Chicopee city line; provided, however, that not less than \$6,200,000 of those funds shall be used for roadway and signalization improvements at the intersections of Springfield street at Chestnut street, Chestnut street at Dover street, Main street, state highway route 116 at Walter street and Noble street, Main street, state highway route 116 at Wason avenue and Walter street at Bernie avenue; provided further, that \$17,000,000 shall be expended for the reconstruction and discontinuance of certain state roadways in the municipalities of Newton and Needham, including both the reconstruction after discontinuance of Highland avenue in Needham from Webster street to the Newton city line and after discontinuance, the reconstruction of Winchester street, and Needham street in Newton from the Route 9 westbound ramps to the Needham town line, and all areas appurtenant thereto; provided further, that the discontinuance of Highland avenue shall be east of the Route 128 northbound ramps as well as between Webster street and Hunting road/Gould street; and the discontinuance of Winchester street and Needham street shall be south of the route 9 eastbound ramps; and provided that, the department shall provide the town of Needham and the city of Newton the necessary funds from this item to complete their respective portions of such project; provided further that \$500,000 shall be expended for design and engineering costs associated with the construction of a bike and pedestrian rail-trail connecting the towns of Wakefield and Lynnfield; and provided further, that \$3,300,000 shall be expended for the design and construction of the Central Massachusetts Emergency Operations Center Access Road at Worcester Fire Headquarters, located at 141 Grove Street in the city of Worcester; provided further, that \$4,500,000 shall be expended for the construction of the reclamation of route 32 Project from the Athol town line to the New Hampshire state border; provided further, that \$25,000 shall be expended for the design and engineering for traffic signals at the intersection of Prospect Street and Jackson Street in the city of Northampton; provided further, that \$6,000,000 shall be expended for the widening and improvements to state highway route 85 Washington Street corridor in the town of Hudson; provided further, that \$50,000 shall be expended for the design and engineering of noise barriers on Route 91 in the Ferry Avenue and Island Road neighborhood of the city of Northampton; provided further, that \$2,750,000 shall be expended for roadway safety and other improvements to Norfolk, Central and Highland streets in the town of Holliston; provided further, that \$1,500,000 shall be expended for intersection improvements and traffic signal installation at the intersection of route 3A and Howlands lane and the intersection of route 3A and Crescent street, all in the town of Kingston; provided further, that not less than \$800,000 shall be expended for the design and construction of traffic signals at the intersection of Main street and state highway route 16, South street and Mystic avenue in the city of Medford; provided further, that not more than \$2,000,000 shall be expended for the acquisition of right-of-way for the Veterans Memorial drive alternate route project in the town of Milford; provided further, that \$600,000 shall be expended for bridge repair work on Bartlett road in the town of Plymouth; provided further, that

\$500,000 shall be expended for the design and construction of barriers along route 128 in the town of Beverly; provided further, that \$5,000,000 shall be expended for route 24 interchange improvements in the city of Fall River and the town of Freetown; provided further, that \$1,750,000 shall be expended for roadway safety and other improvements to routes 135 and 85 and to West Main street in the town of Hopkinton; provided further, that \$300,000 shall be expended for enhanced lighting and streetscape improvements around the 1st Lt. Derek Hines Bridge and Deer Island in the town of Amesbury; provided further, that \$2,900,000 shall be expended for streetscape improvements to Machine Shop Village in the town of North Andover; provided further, that \$2,000,000 shall be expended for flood mitigation in the city of Peabody; provided further, that \$595,000 shall be expended for sidewalk and drainage improvements on Elm street in the town of Hubbardston; provided further, that \$1,200,000 shall be expended for the design and installation of traffic signals at the intersection of East and East Center streets, at the intersection of Matfield and North Main streets, and at the intersection of Belmont and Plain streets, all in the town of West Bridgewater; provided further, that \$2,000,000 shall be expended for reconstruction of a seawall along the Ocean avenue causeway connecting Marblehead Neck to Marblehead proper; provided further, that \$2,000,000 shall be expended for the Phase II streetscape improvement project in downtown Attleboro; provided further, that \$225,000 shall be expended for repairs to Hampshire Street in the city of Lawrence; provided further, that funds shall be expended for bank and slope stabilization along the section of River road from Skunk road to Bancroft lane in the town of Merrimac; provided further, that \$3,600,000 shall be expended for the design and reconstruction of route 79 in the city of Fall River; provided further, that funds shall be expended to provide safety improvements and roadway realignment at the site of the Bourne landfill on route 28 northbound; provided further, that \$10,000,000 shall be expended for the design and construction of sound barriers along the Northbound Side of interstate 93 from route 129 in the town of Wilmington extending north to route 133 in the town of Andover; provided further, that \$3,500,000 shall be expended for part II of the reconstruction of route 14 in the town of Pembroke; provided further, that \$800,000 shall be expended for the installation of traffic signals at the intersection of South street and route 3A and at the intersection of Water street and route 3A, all in the town of Plymouth; provided further, that \$700,000 shall be expended for the realignment of the intersection of Spofford street, Moseley avenue and Merrimac street in the city of Newburyport; provided further, that \$1,200,000 shall be expended for the construction of the Watertown bike path from School street to Grove street in the city of Watertown; provided further, that \$800,000 shall be expended for the realignment of the entrance of Mobile Home Estates at Marc drive and for the installation of a traffic signal in the town of Plymouth; provided further, that \$200,000 shall be expended for the design, planning and reconstruction of the Elm street bridge spanning the Jones river in the town of Kingston; provided further, that \$4,400,000 shall be expended for the design, construction and right-of-way acquisition for improvements at the intersection of route 28 and Yarmouth road in the town of Barnstable; provided further, that \$4,000,000 shall be expended for the reconstruction of the section of route 3 to 140 from Legg road in the town of Sterling to Patricia road in the town of Westminster; provided further, that \$600,000 shall be expended for bridge repair work on Brook road in the town of Plymouth; provided further, that \$600,000 shall be expended for traffic signal upgrades at the intersection of Davisville road and route 28, the intersection of Jones road, David straits and route 28, and the intersection of Sandwich road and Brick Kiln road, all in the town of Falmouth; provided further, that \$2,000,000 shall be expended for the addition of

lanes and widening of Yarmouth road in the town of Hyannis; provided further, that \$1,000,000 shall be expended to implement short-term solutions for the route 110 rotary in the town of Methuen; provided further, that \$50,000 shall be expended for portable solar-powered traffic signalization displays for the town of Groton; provided further, that \$10,000,000 shall be expended for all costs associated with traffic, transit, streetscape and pedestrian improvements to promote economic development in the Hamilton Canal district in the city of Lowell; provided further that \$1,000,000 shall be expended for the installation of a traffic signal and associated intersection improvements at the intersection of route 3A and Route 53 Kingsbury Plaza in the town of Kingston; provided further, that \$700,000 shall be expended for the design and construction of a new on-ramp to state highway route 3 northbound from Long Pond road westbound in the town of Plymouth; provided further, that \$5,000,000 shall be expended for sound barriers at Copeland Circle/Route 99 on the route 1 corridor in the city of Revere; provided further, that \$12,000,000 shall be expended for infrastructure improvements at Water Front Square Project at Revere Beach; provided further, that \$220,000 shall be expended for the design and construction of safety improvements at the Pease Avenue and Morgan Road intersection in the city of West Springfield; provided further, that \$1,200,000 shall be expended for roadway improvements in downtown Malden square in the city of Malden; provided further, that \$500,000 shall be expended for the installation of a traffic signal or roundabout at the intersection of Mason street, County street and Chase street in the town of Freetown; provided further that \$1,000,000 shall be expended for the redesign of the intersection of the route 28 and Washington Street in the city of Somerville; provided further that \$750,000 shall be expended for emergency repairs to route 129 from the Lynn city line at Humphrey Street to Puritan Road and from Atlantic Avenue to the end thereof; provided further that \$750,000 shall be expended for emergency repairs to the Village Street Bridge to improve traffic safety within the Village Middle School zones and to facilitate traffic flow within coastal Essex county; provided further, that \$4,500,000 shall be expended for the construction of the New Boston Street Bridge in the city of Woburn; provided further, that \$10,000 shall be expended for a Traffic Control Opticom or similar system for route 9 in the town of Westborough; provided further, that \$50,000 shall be expended for improvements to Story Street Road in the town of Essex; provided further, that \$500,000 shall be expended for the design and construction of Harrison Boulevard in the town of Avon; provided further, that \$50,000 shall be expended for the design of traffic control enhancements and road and intersection improvements on Grafton Street and route 20 in the town of Shrewsbury; provided further, that \$2,000,000 shall be expended for the reconstruction of sidewalks surrounding the University Avenue Bridge in the city of Lowell; provided further, that \$200,000 shall be expended for the widening of route 139 in the town of Marshfield; provided further, \$500,000 shall be expended for the design and construction of road, intersection, and traffic safety improvements on Grafton Street and route 20 in the town of Shrewsbury; provided further that \$50,000 shall be expended for the design of traffic control enhancements and road and intersection improvements on South Quinsigamond Avenue at its intersection by White City Shopping Mall in the town of Shrewsbury; provided further, that \$300,000 shall be expended for the construction of road and traffic, intersection safety improvements on South Quinsigamond Avenue at its intersection by White City Shopping Mall in the town of Shrewsbury; provided further, that \$400,000 shall be expended for the repair of the Great Bay Bank slope in the town of Falmouth; provided further, that \$300,000 shall be expended for the installation of traffic signals at the intersection of route 28/Main street and North street and at the intersection of route 28/Main street, North Border road

and South street, all in the town of Stoneham; provided further, that \$3,000,000 shall be expended for improvements to route 138 in the town of Milton to the town of Stoughton; provided further, that \$2,400,000 shall be expended for the design, planning and construction of the Obery street northbound slip ramp and associated roadway improvements and for the reconstruction of Obery street in the town of Plymouth; provided further, that \$450,000 shall be expended for the reconstruction of the sections of Bellevue avenue from the Fellsway to Porter street and from Porter street to Upham street in the city of Melrose; provided further, that \$1,900,000 shall be expended for the design and construction of improvements to the airport rotary in the town of Barnstable; provided further that \$2,000,000 be expended for a feasibility study of constructing multi-modal station in the Guest Street/Market Street area in Brighton and for a River Station in Mountfort area of Brookline/Boston; provided further, that \$4,600,000 shall be expended for the reconstruction of the section of route 123 from Eastman street to the Norton town line; provided further, that \$1,400,000 shall be expended for the reconstruction of the section of route 27/School street from the intersection of route 27 and route 36 in the town of Pembroke to the Kingston town line; provided further, that \$40,000 shall be expended for safety improvements and traffic controls at the intersection of Acton Road, also known as route 127, and Maple Road in the town of Chelmsford; provided further that \$100,000 shall be expended for the installation of traffic islands at the grade crossings at Chestnut street, Prospect street and Broadway in the town of Wakefield; provided further, that \$4,511,000 shall be expended for road reconstruction and improvements to route 28 in the town of Barnstable; provided further, that \$6,200,000 shall be expended for widening of route 114 in the town of North Andover; provided further that \$150,000 shall be expended for a study of a Green Line extension by the city of Medford in coordination with the executive office of transportation and construction; provided further, that \$2,500,000 shall be expended for improvements to route 28 in the town of Avon; provided further, that \$300,000 shall be expended to resurface of route 97 in the town of Boxford; provided further, that \$1,500,000 shall be expended for the design and construction of signage and intersection improvements at Lower Main Street and Farmwood Drive in the town of Haverhill; provided further, that \$3,000,000 shall be expended for paving and sidewalk construction along route 127 in the town of Beverly; provided further, that \$25,000 shall be expended for the design and engineering related to the construction of sidewalks on Hatfield Street in the city of Northampton; provided further, that \$825,000 shall be expended for the design and construction of safety improvements at Morgan Road at Piper Cross intersection in the city of West Springfield; provided further, that \$650,000 shall be expended for signalization improvements and curbing on North Main Street at Pond Street in the town of Randolph; provided further, that \$25,000 shall be expended for the design and construction of school zone signage on Brook Road in the town of Milton; provided further, that \$50,000 shall be expended for a safety and traffic study for an at-grade crossing of railroad tracks, including the MBTA commuter rail tracks in the Concord/Alewife area of the city of Cambridge; provided further that not less than \$300,000 be expended for the design and construction of sidewalks in the town of Falmouth from Seacoast Boulevard to Seapit road; provided further that not less than \$200,000 be expended for the design and construction of sidewalks in the town of Falmouth from Moonakis road to the Mashpee town line; provided further that not less than \$10,000,000 shall be expended on the design and construction of a parking garage or parking improvements in the city of Fall River; provided further that not less than \$1,000,000 shall be expended on the expansion, repair and improvement of sanitary facilities that utilizes zero pollution discharge technologies including recycling

greywater systems; provided further, that \$203,000 shall be expended for improvements to the sidewalks on North Main Street in the Town of Andover; provided further, that \$400,000 shall be expended for the design and construction of traffic signals at the intersection of River Road and Andover Street in the town of Tewksbury; provided further, that \$1,200,000 shall be expended for the repaving of route 125 in the town of North Andover; provided further that 2.4 million dollars will be provided to reinforce the street bridges and install or repair sidewalks at said bridges on Florence Street, Mountain Avenue, Clifton Street, and Winter Street in the City of Malden; provided further that not less than \$500,000 be expended for the repaving and refurbishing of municipal parking lots in the city of Beverly; provided further, that not less than \$150,000 be expended for the repair of the Pemberton Pier Commuter Float in the town of Hull; provided further, that not less than \$1,068,000 shall be expended for improvements and reconstruction to Abington Street in the town of Hingham; provided, further, that not less than \$9,000,000 shall be expended for the resurfacing of route 116 in the town of Savoy; provided further, that \$150,000 shall be expended for the Scott Road Bridge project in the city of Fitchburg; provided further, that not less than \$500,000 be expended for safety improvements along Rt. 44 near the Palmer River Elementary/Beckwith Middle School Complex in the town of Rehoboth, including the establishment of safe sightlines by regrading the roadway, installation/extension of sidewalks, and realignment of crosswalks; provided further, that not less than \$1,500,000 shall be expended for the design and reconstruction of the intersection at RT-114A & Arcade Ave. in Seekonk; provided further, that not less than \$850,000 shall be expended for an engineering study, design and construction for a traffic signal and intersection improvements on Route 9 in the town of Williamsburg; provided further that not less than \$1,500,000 be expended for the design and construction of a sound barrier along the Massachusetts Turnpike bordering Lincoln Street in Allston-Brighton; provided further, that \$1,300,000 shall be expended for the reconfiguration project at the intersection of Wellesley Street and Route 30 in Weston; provided further, that \$2,000,000 shall be expended for the Rockland Street Bridge in Wellesley; provided further that \$3,000,000 will be expended for streets and sidewalks improvements for State Highway 99 as the same transverse the City of Malden from the City of Saugus to the City of Everett; provided further that \$300,000 shall be expended for design of Route 109 and Holliston Street and the intersection of Route 109 and Pond Street in the town of Medway; provided further, that \$2,250,000 shall be expended for the design and construction of a parking deck in Gardner; provided further, that \$535,000 shall be expended for culvert repairs at Parish Road, West Street and Penn Brook in the town of Georgetown; provided further that \$1,000,000 shall be expended for the design and construction of a sound barrier wall along Route 93 southbound in the section of Dorchester in the city of Boston; provided further, that \$2,400,000 shall be provided to reinforce the street bridges and to install or repair sidewalks at said bridges on Florence Street, Mountain Avenue, Clifton Street and Winter Street in the city of Malden; provided further, that no more than \$500,000 shall be expended for sound barriers in Milford, including 1,000 linear feet of sound barrier along interstate route 495 near Hillcrest Drive along the southbound right of way beginning about 0.6 mile south of the Hopkinton town line, 2,200 linear feet of sound barrier near Eben Street along the southbound right of way beginning about 1.4 miles south of the Hopkinton town line and 1,500 linear feet of sound barrier near Bodio, Attilio, and Eugene Circles along the northbound right of way beginning about 1 mile north of the Bellingham town line; provided further, that no more than \$650,000 shall be expended to reconstruct Route 16 in Milford from the Hopedale town line to Water Street, including the replacement of concrete sidewalks on both sides of the street; provided further, that no

more than \$200,000 shall be expended to reconstruct Lake Street in Hopedale, including 1,350 linear feet of road and 1,600 linear feet of sidewalk; provided further, that no more than \$300,000 shall be expended to reconstruct North Avenue in Mendon and provide signalization at the intersection of North Avenue and Hastings; provided that \$500,000 shall be expended for the repair and rehabilitation of the bridge across the Aberjona River on Mount Vernon Street in the town of Winchester; provided further that an amount not to exceed \$2,000,000 shall be expended for the design and construction of sound barriers in the town of Stoneham along the northbound lane of interstate 93 from the Marble Street overpass extending south to the Fallon Road overpass and adjacent on-ramp, and along the Interstate 93/Route 128 interchange adjacent to Constitution Road; provided further that the sum of \$8,100,000 be expended for reconstruction of Trapelo Road and Belmont Street in the towns of Watertown and Belmont and that the sum of \$2,000,000 shall be expended for streetscape and safety amenities in connection therewith; provided that not less than \$250,000 shall be expended for a comprehensive study of necessary road improvements of the Route 9 corridor from Southboro to Wellesley; provided that not less than \$750,000 be expended for the re-paving of the Pleasant Street Bridge over the Charles River in Natick; provided that not less than \$750,000 be expended for the re-paving of the Boden Lane Bridge over the CSX railroad tracks in Natick; provided that not less than \$7,000,000 be expended for the construction of a parking garage in downtown Natick; provided that not less than \$2,500,000 be expended for the bridge replacement on Pleasant Street over the Charles River in the town of Millis; provided further, that \$600,000 shall be expended for a flood mitigation project on route 62 in the town of Wilmington to be administered by the town of North Reading in conjunction with the town of Wilmington; provided further, that funds shall be expended to install and make functional a dedicated left turn signal in the north bound lane of Route 28 in the town of Reading at the intersection of Route 28 and Franklin Street; provided further that not less than \$2,000,000 be expended for the construction of a sidewalk from the Truro Central School to Truro Public Safety Building on Route 6 in the Town of Truro; and provided further, that not less than \$1,500,000 shall be expended for improvements to the intersections of state highway routes 9 and 27 and state highway route 9 and Oak street in the town of Natick; provided further that not less than \$1,900,000 be expended for the design and replacement of the Bridges Street Bridge over Mitchell River in the Town of Chatham; provided further that not less than \$100,000 be expended for the design and construction of a sidewalk along Race Point Road from the transfer station to Route 6, continuing along Conwell Street to the intersection of Cemetery Road in the Town of Provincetown; provided further that \$500,000 shall be expended for reconstruction of sidewalks and repairs to Route 16 between Everett Avenue and Webster Avenue in the City of Chelsea; provided further that \$1,000,000 shall be expended for repair and reconstruction of parking lots, roadways and sidewalks at the Massachusetts Soldier's Home in Chelsea; provided further that \$10,000,000 shall be expended for the reconstruction, redesign and signalization of Rutherford Avenue and Sullivan Square in the Charlestown section of the City of Boston; provided further, that \$11,700,000 be expended for the renovation and reconstruction of Route 1A/Main Street in the town of Walpole; provided further that not less than \$500,000 be made available for the extension of the Ashuwillticook Rail Trail extension project from the town of Adams to Crane Avenue in Pittsfield; provided further that \$3,000,000 shall be expended for the repair and improvements to the Berkshire Mall Road in the town of Lanesborough; provided further that not less than \$600,000 be made available for the rehabilitation of the Keystone Arches Bridges in the towns of Middlefield, Becket and Washington; provided further, that \$600,000 shall be expended for resurfacing, sidewalk construction and

related work on Brainerd Street in the town of South Hadley; provided further, that \$225,000 shall be expended for the design and construction of sidewalks and improvements to Route 10 in the city of Easthampton; provided further, that not less than \$1,000,000 shall be expended to repair the West Boylston Street bridge on Route 12 in Worcester; provided further, that not less than \$800,000 be expended for the construction of the Francis R. Carroll Intersection and Plaza in the city of Worcester; provided further, that not less than \$8,000,000 be expended for the route 146 interchange Gateway One Project in the city of Worcester; provided further that not less than \$400,000 shall be expended to the town of Amesbury for interior build out at the new Merrimack Valley Regional Transportation Authority transportation center; provided further, that not less than \$350,000 be expended for infrastructure and road work at the Gateway Park Economic Development Zone in the city of Worcester; provided further, that not less than \$300,000 for improvements to Downing Square area in Arlington; provided further, that not less than \$300,000 for improvements and enhancements to the Massachusetts Avenue in Arlington; provided further that not less than \$500,000 shall be expended for the reconstruction and repaving of Route 97 in the Town of Boxford; provided further, that not less than \$750,000 shall be expended for the replacement of the Bridge Street culvert located in the Town of Hamilton; provided further that \$300,000 shall be expended for the design and construction of sidewalks in the town of Braintree on Grove Street, from Plain Street to Liberty Street; provided further that \$1,000,000 shall be expended for the design and construction of a sound barrier wall along Independence Avenue in the town of Braintree; provided further that \$1,000,000 shall be expended for the design and reconstruction of Route 37 in the Highlands section of the town of Braintree; providing further that \$5,000,000 shall be expended to conduct a traffic study at Wellington Circle; provided further, that \$150,000 shall be expended to construct a sound barrier at 37 and 37R Elliott Street in the Town of Danvers; provided further that not less than \$8,000,000 shall be expended on the application of paint finish for the Bragga Bridge in the city of Fall River; provided further, that \$3,700,000 shall be expended for pedestrian, vehicular and rail access and streetscape improvements in downtown Uxbridge; provided further that not less than \$50,000 shall be reimbursed to the Town of Oxford for traffic light design at the intersection of Cudworth Road and Route 12; provided further that not less than 50,000 dollars shall be expended to the Town of Millbury for storm water runoff drainage repairs and improvements; provided further, that \$1,000,000 shall be expended for street and sidewalk rehabilitation along Washington Street in the town of Abington; provided further, that \$1,200,000 shall be expended for street and sidewalk rehabilitation in the historical district surrounding East Bridgewater Town Common; provided further, that \$1,000,000 shall be expended for street and sidewalk rehabilitation in the town of Whitman; provided further that \$250,000 shall be expended for repairs on Gallivan Boulevard in the section of Dorchester in the City of Boston; provided further that \$750,000 shall be expended for a study and rehab of a new traffic system for Gallivan Boulevard, Granite Avenue and Adams Street in the section of Dorchester in the city of Boston; provided further that \$700,000 shall be expended for a study on Kosciuszko Circle in the Section of Dorchester in the City of Boston; provided further that \$250,000 shall be expended for infrastructure improvements on Washington Street in the town of Braintree; provided further, that not less than \$2,000,000 shall be expended for rehabilitation of the Padanaram Bridge in the town of Dartmouth; provided further, that not less than \$1,200,000 shall be expended for the rehabilitation and sidewalk improvements to Slocum Road in the town of Dartmouth; provided further, that \$50,000 shall be expended for a comprehensive study of downtown Waltham parking conditions, requirements and recommendations; provided further, that \$500,000 shall be expended for

the extension of the Wayside Rail Trail in the city of Waltham; provided further, that \$1,500,000 shall be expended for the design and roadway reconstruction, traffic signal and related improvements to the intersection of Trapelo Road and Forest Street in the city of Waltham; provided further, that \$3,500,000 for the resurfacing and/or reconstruction, including minor drainage improvements of Route 123 in the Town of Norwell; provided further, that not less than \$1,000,000 shall be expended for the construction of a Waban Noise Barrier on the east side of I-95 in Newton between Washington Street (Route 16) and the Charles River and in Wellesley between Charles River and Rosemary Brook; provided further, that not less than \$1,000,000 shall be expended for the construction of a Auburndale Noise Barrier located in West Newton and is under the jurisdiction of the Mass Turnpike Authority; provided further, that not less than \$2,000,000 shall be expended for design, construction, and engineering costs of a bike and pedestrian path along the Hurricane Barrier in the city of New Bedford; provided further, that not less than \$3,000,000 shall be expended for the redesign and construction of route 18 in the city of New Bedford; provided further, that not less than \$200,000 shall be expended for traffic signals and roadway improvements at the intersection of County Street and Cove Street located in the city of New Bedford; provided further that \$1,500,000 shall be expended for Brooklawn Park area for flood mitigation, street drainage, and street and parking reconfiguration in New Bedford; provided further, that not less than \$2,500,000 shall be expended for the design and construction of a 3.5 mile bike path along Cisco Road in the Town of Nantucket; provided further, that not less than \$460,000 shall be expended on multi-user path safety improvements in the Edgartown section of Edgartown-Vineyard Haven Road in the Town of Edgartown; provided further, that not less than \$480,000 shall be expended on multi-user path safety improvements on the County Road Bike path in the Town of Oak Bluffs; provided further, that \$1,000,000 be expended for the beautification, maintenance and upkeep of Washington Street in the West Roxbury section of the city of Boston, including the upgrade and improvements of pedestrian safety features; provided further, that \$1 million be expended for the maintenance and improvements to Bellevue, Highland and West Roxbury commuter rail stations in the West Roxbury section of the city of Boston; provided further that \$350,000 shall be expended for a infrastructure and wastewater management study in Acushnet; provided further, that \$5,000,000 shall be expended for a decked garage and air-walks at the Indian Motorcycle parking lot site in Springfield; provided further that \$300,000 be expended for replacing the salt shed in the town of Monterey; provided further that not less than \$150,000 be expended to provide a plan for the MBTA commuter rail line ending in the village of Buzzards Bay in the town of Bourne. Said study will include a plan for parking and pedestrian walkways provided further that said plan include but not be limited to an evaluation of: the impact of traffic; impact to retail and residential areas; parking requirements and availability of space; pedestrian walkways; rail in flood and velocity zone; land and auxiliary needs; provided further, that \$2,000,000 shall be expended for the replacement of the Elm Street Bridge in the town of Freetown; provided further that not less than \$250,000 be provided for the Executive Office of Transportation and Public Work's Rail Unit to conduct a feasibility study for MBTA Commuter Rail Service between Union Station in Worcester and North Station in Boston via the Town of Clinton. This study shall assess the capital and operating costs as well as produce ridership estimates for this proposed commuter rail service. The capital cost estimate shall include costs associated with track, signals, stations, structures, parking, layover facilities and equipment. The integration of this service with existing and proposed passenger and freight services as well as the impacts on service between Worcester and Boston via South Station shall be evaluated. Impacts of the proposed service on

development and land use shall be examined. The study should explore and evaluate innovative methods to deliver new commuter rail services faster and more efficiently than traditional design and construction methods; provided further that not less than \$50,000 shall be expended for the renovation on the retaining walls for the Wareham Street Bridge in the Town of Middleboro; provided further, that \$100,000 shall be expended for traffic flow improvements to the left turning lane on Revere Beach parkway at its intersection with Spring street in the city of Everett; provided further, that not less than \$250,000 shall be expended for the purpose of installing sound barriers along the southerly eastbound side of route 290 in the town of Shrewsbury; provided further that not more than \$2,000,000 shall be expended for the Pulaski Boulevard Project in the town of Bellingham; provided further, that not less than \$500,000 shall be expended for road, drainage, and other infrastructure improvements at Hazelwood Park in New Bedford; that not less than \$2,500,000 shall be expended for Columbian Square and connecting roadways (Pleasant Street, Columbian Street {both sides of Route 18} and Union Street) located in the Town of Weymouth for the design and construction relating to traffic improvements, resurfacing and installation of below grade utilities; provided further, that not less than \$1,000,000 shall be expended for the area of Washington Street, Middle Street and Winter Street which is also considered the Weymouth Triangle, for improvements that are needed for the widening and paving of the South side of Route 53 (Washington Street) and the West side of Middle Street, installation of below grade utilities and the replacement of sidewalks on Washington, Middle and Winter Street; and provided further, that not less than \$5,000,000 shall be expended for the resurface a 1.5 mile section of Route 3A, from the Fore River Bridge to Green Street located in the Town of Weymouth for sidewalk repair or replacement, provide wheel chair ramps where needed, the placement of utility lines below grade and finally the planting of trees and landscape along the roadway; provided further, that \$800,000 shall be expended for the installation of traffic lights at South street and Water street at state highway route 3A; provided further, that \$800,000 shall be expended for the resurfacing of interstate highway route 3 and related work; provided further, that \$100,000 be provided for the reconstruction of Reservation roadway at Wachusett Mountain; provided further, that \$100,000 shall be provided for a corridor study of state highway route 9 between interstate highway route 495 and state highway route 128; provided further, that \$3,000,000 shall be provided for the study and planning of renovation of the interstate highway routes 93 and 95 interchange and the study and planning of construction of an exit ramp onto Dedham Street on the north bound side of interstate highway route 95 provided further, that \$500,000 shall be expended for street improvements along Washington street in the town of Abington; provided further, that not less than \$500,000 shall be expended for roadway and signalization improvements at the intersection of state highway routes 187 and 57 and Springfield street in the town of Agawam; provided further that \$300,000 shall be expended for the Riverwalk connection to downtown Main street in the town of Amesbury; provided further, that not less than \$1,000,000 shall be expended for the planning and design for grade separation at the train crossing in downtown Ashland provided further, that \$400,000 shall be provided for the realignment and reconstruction of the intersection of state highway route 135 and Frankland road in the town of Ashland; provided further, that not less than \$4,000,000 shall be expended for improvements along state highway route 28 in the town of Avon including, but not limited to, infrastructure and road improvements, sidewalks, lighting, safety and aesthetic improvements; provided further, that not less than \$200,000 shall be expended for engineering, traffic, and safety analysis for the intersection of East Main street and East Spring street in the town of Avon; provided further that \$2,000,000 shall be expended for the

addition of lanes and widening of Yarmouth Road; provided further that \$1,900,000 shall be expended for the design and construction of improvements to the Airport Rotary in the town of Barnstable; provided further that \$3,700,000 shall be expended for roadway improvements to state highway route 28 between Yarmouth road and the Airport Rotary in said town of Barnstable; provided further, that not less than \$400,000 shall be expended for the design and installation of a traffic signal at the West Barnstable, Osterville and state highway route 28 intersection in the town of Barnstable; provided further, that not less than \$3,839,000 shall be expended for design and construction of an east-west bike trail and associated overpass from Willow street to state highway route 132 in the town of Barnstable; provided further, that not more than \$7,800,000 shall be expended for the interstate highway route 495 and state highway route 126 interchange improvement project in the town of Bellingham; provided further, that \$300,000 shall be expended for the Berkshire-New York Rail Connector project; provided further, that \$250,000 shall be expended for Billerica Center to improve traffic flow; provided further that \$7,000,000 shall be expended for the construction of Segment 2 of the Blackstone Valley Bikeway; provided further, that \$850,000 shall be expended for the planning and design of Segment 1 of the Blackstone Valley Bikeway; provided further, that \$850,000 shall be provided for the planning and design of Segment 1 of the Blackstone River Bikeway; provided further, that \$850,000 shall be provided for the planning and design of Segment 1 of the Blackstone Valley Bikeway; provided further, that \$10,000,000 be provided for the design, engineering and reconstruction of Sullivan Square and the Rutherford Avenue Corridor in the city of Boston; provided further that funds shall be expended to provide safety improvements and roadway realignment at the site of the Bourne landfill on the northbound side of state highway route 28; provided further, that not less than \$2,000,000 shall be expended for public safety and streetscape improvements to Meetinghouse lane in the town of Bourne; provided further, that \$100,000 shall be provided for the renovation and upgrade of the pedestrian signal light on Quincy avenue in the town of Braintree; provided further, that \$1,000,000 shall be expended for street and sidewalk rehabilitation to Perkins avenue in the city of Brockton; provided further, that \$2,500,000 shall be expended for street and sidewalk rehabilitation to West Elm street in the city of Brockton; provided further, that \$3,000,000 shall be provided for rail-trail extensions in the Dennis and Yarmouth area; provided further, that \$2,200,000 shall be expended for reconstruction of Nashua road in the town of Dracut; provided further, that not less than \$4,500,000 shall be expended for improvements along state highway route 106 from its intersection with Central street to the intersection with Pond street in the town of East Bridgewater; provided further, that not less than \$4,600,000 shall be expended for improvement along state highway route 123 in the town of Easton from the Norton town line to Eastman street; provided further, not less than \$1,000,000 shall be expended for improvements to the Five Corners intersection in said town of Easton; provided further, that not less than \$1,000,000 shall be expended for improvements to the intersection of state highway route 138 at Union street in said town of Easton; provided further, that \$2,000,000 shall be expended for the reconstruction of state highway route 2 in Erving center; provided further, that \$4,000,000 shall be expended for improvements to Beacham and Williams streets-Spruce Street-Everett Avenue corridors; provided further, that \$900,000 shall be provided for safety improvements at Sweetser circle in the city of Everett; provided further, that \$900,000 shall be provided for safety improvements at Santilli circle in said city of Everett; provided further, that not less than \$2,000,000 shall be expended for the planning and design for grade separation at the state highway routes 126 and 135 interchange in the city known as the town of Framingham; provided further, that \$150,000

shall be expended for the installation of a traffic signal at the intersection of Mason, County and Chase streets in the town of Freetown; provided further, that not less than \$2,000,000 shall be expended for improvements to Acushnet avenue from Braley road to the Freetown town line; provided further, that not less than \$250,000 shall be expended for the installation of noise barriers along the Massachusetts Turnpike in the town of Grafton; provided further, that \$2,000,000 shall be expended for the resurfacing of state highway route 57 in the town of Granville; provided further, that \$1,200,000 shall be expended for upgrades to the lights at the state highway route 2 rotary in the town of Greenfield; provided further, that \$10,000,000 shall be expended for the construction of Phase A and Phase B of the Riverwalk in downtown Haverhill along the Merrimack River floodwall; provided further, that not less than \$2,100,000 shall be expended for roadway and intersection improvements in downtown Hyannis, Main street and South street; provided further, that not less than \$150,000 shall be expended for the Greater I-495/MetroWest economic and demographic study; provided further, that \$1,400,000 shall be expended for the reconstruction of state highway route 27, School street, from the intersection of state highway routes 36 and to the Kingston town line; provided further, that \$1,500,000 shall be provided for the design, permitting and construction of a river walk along the southern side of the Merrimack River in the city of Lawrence; provided further, that not less than \$100,000 shall be expended for a traffic study of state highway route 13 at state highway route 2 in the city of Leominster; provided further, that \$1,900,000 shall be provided for the reconstruction and improvement of state highway routes 117 and 126 in the town of Lincoln; provided further, that \$345,000 shall be expended for improvements on Lynn Shore drive; provided further, that \$750,000 shall be provided for signalization upgrades at the intersection of Morton street and Gallivan boulevard in the Mattapan section of the city of Boston; provided further, that not less than \$50,000 shall be expended for replacement and improvement of street signs in the town of Mattapoisett; provided further, that \$3,500,000 shall be provided for the realignment of Clippership drive and associated roadway and pedestrian improvements in the city of Medford; provided further, that \$100,000 shall be expended for the planning and installation of a traffic signal at the intersection of state highway route 16 and Hartford avenue in the town of Mendon; provided further, that \$200,000 shall be expended for costs associated with the discontinued use of River road and the construction of a pedestrian corridor in said town of Merrimac; and provided further, that \$12,000 shall be expended for stormwater management in the town of Millis; provided further, that not less than \$500,000 shall be expended to convert overhead utilities to underground for the Central avenue business district at Eliot street in the town of Milton; provided further, that not less than \$5,000,000 shall be expended for improvement to state highway route 28 in the town of Milton from Central avenue to Blue Hills parkway, including repairs to stone walls and fencing along Kelly Field; provided further, that not more than \$1,000,000 shall be expended for the reconstruction of a retaining wall on the corner of Montgomery road in Russell and Carrington roads in the town of Montgomery; provided further, that not less than \$4,000,000 shall be expended to provide traffic, transit, streetscape and pedestrian improvements to promote economic development and tourism in the downtown and waterfront areas of the city of New Bedford; provided further, that not less than \$750,000 shall be expended for the resurfacing of roads in the city of North Adams; provided further, that not less than \$650,000 shall be expended on the construction of a rotary at the intersection of Barnes road and Edgartown-Vineyard Haven road in the town of Oak Bluffs; provided further, that \$45,000 shall be expended for a transportation and infrastructure Master Plan at the Pepperell Paper Mill; provided further, that not less than \$125,000 shall be expended for a salt shed for

highway safety in the town of Princeton; provided further, that \$3,000,000 shall be expended for the redesign, planning and construction of the intersection of Hancock street and East and West Squantum streets in the city of Quincy; provided further, that \$2,500,000 shall be provided for the installation and construction of subsurface cable, telephone and electrical lines at Burgin parkway to the Southern Artery in said city of Quincy; provided further, that not less than \$4,000,000 shall be expended for design, rehabilitation and reconstruction of state highway route 28 in the town of Randolph from Oak Street to Chickatawbut Road in Milton; provided further, that not less than \$25,000 shall be expended for traffic signal upgrades at the intersection of route 44 and Orchard street in the town of Raynham which shall include, but not be limited to, the installation of an Opticom emergency vehicle signal control system, or similar emergency signal control system, and installation of essential corresponding transmitter equipment in specifically designated public safety/emergency responder vehicles in the town to be identified by the town of Raynham chiefs of police and fire departments, in conjunction with board of selectmen of the town of Raynham; provided further, that \$100,000 shall be expended to install and make functional a dedicated left turn signal in the northbound lane of interstate highway route 28 in the town of Reading at the intersection of said route 28 and Franklin street; provided further, that \$75,000 shall be expended for a Route 3 Corridor Development analysis for infrastructure needs along state highway route 3 from interstate highway route 495 northbound to the New Hampshire state line; provided further, that \$132,620 shall be expended for the reclamation and overlay of Central Tree road from Skyline drive to the Holden town line in the town of Rutland; provided further, that \$154,975 shall be expended for drainage improvements to and the reclamation and overlay of Glenwood road from state highway route 68 to Campbell street in the town of Rutland; provided further, that not less than \$1,000,000 shall be expended for public safety and streetscape improvements to Quaker Meetinghouse road from state highway routes 6A to 130 in the town of Sandwich; provided further, that \$500,000 shall be expended for traffic safety and historic road improvements along Bay road in the town of Sharon; provided further, that not less than \$600,000 shall be expended for repair and maintenance of Temple street in the city of Somerville; provided further, that not less than \$100,000 shall be expended to facilitate transportation needs on Columbia road in the South Boston section of the city of Boston; provided further, that \$135,000 shall be provided for the upgrade of the traffic signal at the intersection of I street and Day boulevard in the South Boston section of the city of Boston; provided further, that \$1,100,000 shall be expended for the installation of lights at the state highway route 202 rotary in the town of South Hadley; provided further, that \$200,000 shall be expended for the construction of a new highway barn and salt shed in the town of Southwick; provided further, that \$750,000 shall be expended for the installation of traffic signals and associated road improvements on a section of Feeding Hills road in the town of Southwick; provided further, that \$10,000,000 be provided for the reconstruction of Boston road in the city of Springfield; provided further, that not less than \$350,000 shall be expended for streetscape improvements along Humphrey street in the town of Swampscott; provided further, that not less than \$500,000 shall be expended for a design study of a full cloverleaf at exit 3 off of Interstate 195 at Route 118 in the town of Swansea; provided further, that \$600,000 shall be expended for traffic signalization at the intersection of Shawsheen and East streets in the town of Tewksbury; provided further, that not less than \$150,000 shall be expended for design costs for the state highway route 119 reconstruction project in the town of Townsend; provided further, that \$100,000 shall be expended for the installation of traffic islands at the train crossing at Chestnut street, Prospect street and

Broadway in the town of Wakefield; provided further, that \$1,600,000 shall be provided for safety improvements and the reconstruction of Trapelo road and Belmont street corridor; provided further, that not less than \$200,000 shall be expended for town wide roadway drainage upgrades in the town of West Bridgewater; provided further, that \$1,200,000 shall be expended for Exit 3 interchange improvements on the Massachusetts Turnpike in the city of Westfield; provided further, that \$850,000 shall be provided for the reconstruction of state highway route 38 in the town of Wilmington; provided further, that not less than \$2,500,000 shall be expended for the redesign and construction of the state highway routes 12 and 202 interchange in at Blair square in the town of Winchendon; provided further that \$918,000 shall be expended for the planning and design of the Quinebaug Rail Trail and bikeway along the former Providence and Worcester Railroad right-of-way through the towns of Southbridge, Dudley and Webster; provided further, that not less than \$5,000,000 shall be expended for interoperability communication equipment for the Worcester Regional Transit Authority; provided, further that not less than \$5,000,000 shall be expended for the preliminary and final design of the roadways and access improvements included as a part of the Worcester Regional Mobility Study; provided further, that not less than \$150,000 shall be expended for the reconstruction of Creek street in the town of Wrentham; provided further, that \$500,000 shall be provided for a feasibility study for the Yarmouth road corridor \$575,000,000

6033-0827 For the purchase and rehabilitation of heavy equipment and other maintenance equipment, including attachments and parts, for the department \$7,500,000

6033-0837 For the remediation of environmental contamination at facilities and on lands under the care, custody and control of the department, including the costs for auditing and assessing the existence and extent of environmental contamination \$2,800,000

SECTION 2B.

EXECUTIVE OFFICE OF TRANSPORTATION AND PUBLIC WORKS

Department of Highways

6033-0867 For the construction and reconstruction of town and county ways as described in paragraph (a) of clause (2) of section 34 of chapter 90 of the General Laws; provided, however, that a city or town shall comply with the procedures established by the department of highways; provided further, that a city or town may appropriate for projects amounts not in excess of the amount provided to the city or town under this item, preliminary notice of which shall be provided by the department to the city or town not later than April 1 of each year; provided further, that the commonwealth shall reimburse a city or town under this item within 30 days after receipt by the department of a request for reimbursement from the city or town, which request shall include certification by the city or town that actual expenses have been incurred on projects eligible for reimbursement under this item, and that the work has been completed to the satisfaction of the city or town according to the specifications of the project and in compliance with applicable laws and procedures established by the department \$350,000,000

6033-0877 For the design and construction of roads, roadways and other transportation related projects considered necessary for economic development by the secretary of transportation and public works upon the petition of the local government body; provided, that funds authorized in this item shall be expended in accordance with chapter 19 of the acts of 1983 and shall be in accordance with 701 CMR 5.00 to CMR 5.10, inclusive; provided further, that the secretary of transportation and public works shall notify cities and towns of the availability of funds through this program and shall inform municipalities of the application process before the expenditure of any funds from this item \$50,000,000

6033-0887 For the purpose of implementing chapter 16 of the General Laws relative to authorizing the commissioner of highways to establish a program to assist towns with populations of 7,000 or less undertaking projects to

design, construct, reconstruct, widen, resurface, rehabilitate and otherwise improve roads and bridges .. \$10,000,000
SECTION 2C.

EXECUTIVE OFFICE OF TRANSPORTATION AND PUBLIC WORKS

Office of the Secretary

- 6001-0801 For the purposes of chapter 161B of the General Laws, including the purchase and rehabilitation of rolling stock, and the implementation of networking and intelligent transportation systems to provide for interoperability communications, and the construction, reconstruction and rehabilitation of regional transit authority facilities and related appurtenances \$17,000,000
- 6001-0802 For the purpose of implementing the mobility assistance program, under section 13 of chapter 637 of the acts of 1983; provided, that any grant funds awarded under this item shall be for not more than 80 per cent, except for regional transit authorities which may be reimbursed up to 100 per cent, of the total purchase cost of the vehicles or equipment purchased under said program; and provided further, that the secretary of transportation and public works may waive the foregoing limitation on a determination that a recipient is in critical financial need \$7,000,000
- 6001-0803 For the purpose of planning, engineering, design and construction of transportation infrastructure investments to be called regional inter-modal transportation centers, strategically located to maximize passenger connections between road, air, water, rail and other transportation modes; provided, that in carrying out this item, the secretary of transportation and public works may set service standards to aid in identifying population hubs where intermodal centers would optimally affect passenger movement throughout the commonwealth; provided further, that \$2,000,000 shall be expended for the Greenfield Transit Center project, provided further that \$3,000,000 shall be expended for the Main Street Gateway/Intermodal traffic safety improvement project in the town of Falmouth; provided further, that not less than \$3,000,000 shall be expended for design, engineering and construction of Phase I of the intermodal transportation center in the city of Attleboro, provided further that \$5,000,000 shall be expended for the non-federal matching portion of the Haverhill Intermodal Parking Garage and Transit Facility in Railroad Square and provided further, that \$750,000 shall be expended for environmental remediation and structural improvements to the Pioneer Valley Transit Authority multi-modal transportation center in the city of Holyoke \$20,000,000
- 6001-0804 For the purpose of implementing rail improvements under chapter 161C of the General Laws; provided, that funds may be used for transportation planning, design, permitting and engineering, acquisition of interests in land, vehicle procurement, construction, construction of stations, right-of-way acquisition, layover facilities and economic development and land-use planning for heavy rail, light rail and bus projects, which projects shall include the Urban Ring, Blue Line extension to Lynn, the Connecticut River Knowledge Corridor Line and South Coast initiatives; provided further, that not less than \$25,000,000 shall be expended for the Blue Line Extension to Lynn; provided, however, that the extension of the Blue Line to Lynn shall be restricted to existing commuter rail rights of way excluding narrow gauge rail line rights of way; provided further, that funds may be used for the acquisition of interests in land; provided further, that not less than \$30,000,000 shall be expended for the South Coast Rail Initiative; provided further, that notwithstanding any general or special law to the contrary, the authority may expend funds authorized in this act and additional funds as previously authorized including, but not limited to, the amounts appropriated in item 6005-9906 of section 2 of chapter 125 of the acts of 2000 for the design, permitting and construction of the South Coast Rail line for the area south of Cotley Junction; and provided further, that not less than \$10,000,000 shall be expended for the replacement of the commuter rail station in the town of Rockport; provided further, that \$220,000 shall be expended for Phase II disabled

accessibility renovations at the rail depot in the town of Athol; provided further that \$250,000 shall be expended for the design and construction of a pedestrian footbridge adjacent to the Wedgemere Commuter Rail Station in the Town of Winchester; provided further, that \$50,000 shall be expended to study the feasibility of constructing a Massachusetts Bay Transportation Authority Commuter Rail station in the town of West Bridgewater and provided further, that not less than \$100,000 shall be authorized for the design, siting and initial permitting for a commuter rail station in the town of Wareham \$115,000,000

6001-0805 For the purpose of improving and expanding marine transportation services, for the purpose of enhanced passenger water transportation capacity and intermodal access to the waterfront or for other public transportation purposes including, but not limited to, service feasibility studies, demonstration projects, the acquisition of boats for passenger marine transportation services, the planning, design, construction or acquisition of docking, dredging and other landside facilities such as parking or shelter facilities, improved landside access to such facilities, the purchase of other equipment in connection with those operations and the disposal of same when their use has been substantially diminished, including all equipment or boats purchased for marine transportation service before the effective date of this act; provided, that in carrying out this item, the secretary of transportation and public works may enter into contracts or agreements that are appropriate with other state and local agencies, authorities or political subdivisions of the commonwealth including, but not limited to, the Massachusetts Port Authority, the Massachusetts Bay Transportation Authority, the executive office of housing and economic development, the executive office of energy and environmental affairs, or with other quasi-public agencies, which may enter into contracts or agreements with the secretary; and provided further, that grants funded by this item shall be subject to a 25 per cent match from eligible applicants \$10,000,000

6001-0806 For a program to provide financial assistance to promote transit-oriented development; provided, that such assistance may be in the form of grants or loans and may be used to design, construct, reconstruct or enhance parking facilities and related pedestrian and bicycle access serving mixed use developments adjacent to existing or planned transit stations, to build or rehabilitate housing, at least 25 per cent of which shall be affordable to households earning not more than 80 per cent of the area median income; provided further, that all projects funded under this item shall be located within .25 miles of a commuter rail station, subway station, ferry terminal or bus station; provided further, that the executive office of transportation and public works may enter into agreements, request proposals and applications and issue regulations and guidelines as necessary to carry out the purposes of this item; provided further, that the secretary shall make reasonable efforts to coordinate with and utilize existing programs and resources including, but not limited to, the executive office for administration and finance off-street parking program, the Massachusetts Bay Transportation Authority Parking Enterprise Fund, Massachusetts Bay Transportation Authority station air rights development agreements, other Massachusetts Bay Transportation Authority investments in station access or commuter parking enhancements, similar types of parking investments by any other regional transit authority or existing programs of the department of housing and community development, the executive office of energy and environmental affairs, the Massachusetts Housing Finance Agency or the Massachusetts Development Finance Agency; provided further, that to be eligible to receive assistance under this item, a project shall also receive financial or technical assistance from at least 1 of the following: the department of housing and community development, the executive office of energy and environmental affairs, the Massachusetts Bay Transportation Authority, the Massachusetts Housing

Finance Agency or the Massachusetts Development Finance Agency; and provided further, that annually, on or before December 31, the executive office of transportation and public works shall submit a report to the clerks of the senate and house of representatives, which shall include detailed descriptions of any agreements, loans or grants and a list indicating the allocation of all committed and expended funds under this item \$20,000,000

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Office of the Secretary

- 6001-0817 For a grant program to provide for commercial and residential transportation and infrastructure development, improvements and various capital investment projects under the Growth Districts Initiative established by the executive office of housing and economic development; provided, that the secretary of housing and economic development, in consultation with the secretary of transportation and public works, shall, not later than December 31, 2008, promulgate regulations or issue guidelines regarding the proposed program described herein; provided further, that annually not later than December 31, the secretary shall issue a written report to the clerks of the senate and house of representatives, the chairs of joint committee on bonding, capital expenditures and state assets, the chairs of the joint committee on transportation, the chairs of the joint committee on economic development and emerging technologies and the chairs of the senate and house committees on ways and means which shall include detailed descriptions of any infrastructure improvement projects funded pursuant to this program and all funds expended for this purpose \$50,000,000
- 6001-0818 For an off-street parking program pursuant to chapter 487 of the acts of 1980 \$45,000,000

SECTION 2D.

EXECUTIVE OFFICE OF TRANSPORTATION AND PUBLIC WORKS

Office of the Secretary

- 6001-0807 For the acquisition of information technology and related expenses including, but not limited to, identity document verification systems, Q-matic queuing system upgrade, automated testing equipment, document imaging systems and laptop tablets for all agencies within the executive office of transportation and public works; provided, however, that any expenditures pursuant to this item shall be subject to the approval of the chief information officer of the commonwealth \$16,700,000
- 6001-0808 For the reconstruction, rehabilitation and maintenance of facilities under the care and control of agencies within the executive office of transportation and public works including, but not limited to, the costs associated with the installation, improvement and repair of electrical, heating, ventilation and air conditioning systems \$1,000,000
- 6001-0809 For the purchase and rehabilitation of necessary durable equipment and parts for said durable equipment for all agencies within the executive office of transportation and public works \$1,500,000
- 6001-0810 For the installation, maintenance and repair of security systems and design improvements and related equipment, including security cameras, for all agencies within the executive office of transportation and public works \$1,220,000

SECTION 2E.

EXECUTIVE OFFICE OF TRANSPORTATION AND PUBLIC WORKS

Office of the Secretary

- 6001-0813 For design and construction of the Massachusetts Bay Transportation Authority Fitchburg Line Speed Improvement project \$67,000,000
- 6001-0815 For the purposes of providing interoperability and safety equipment for the Massachusetts Bay Transportation Authority \$5,000,000

SECTION 2F.

EXECUTIVE OFFICE OF TRANSPORTATION AND PUBLIC WORKS

Massachusetts Aeronautics Commission

- 6006-0801 For the implementation of the airport improvement program under section 51L of chapter 90 of the General Laws; provided, however, that \$2,500,000 shall be expended for the runway expansion at Pittsfield Municipal Airport \$40,000,000

SECTION 2G.

EXECUTIVE OFFICE OF TRANSPORTATION AND PUBLIC WORKS

Office of the Secretary

6000-0400	For the costs associated with relocating the Bradford layover facility in the city of Haverhill including, but not limited to, site identification, relocation, land acquisition, environmental, engineering, permitting, design and construction costs; provided, that the Massachusetts Bay Transportation Authority may use the funds provided herein to establish revenue service to the new layover facility.....	\$10,000,000
6000-0450	For emergency traffic control and communications equipment for the Cape Cod Emergency Traffic Plan.....	\$366,500
6000-0500	For expansion of passenger air service including, but not limited to, facilities infrastructure improvements and passenger terminal enhancements at the Westover Metropolitan Airport in the city of Chicopee.....	\$15,000,000
6000-0850	For the design and construction of a haul road from the Massachusetts Port Authority's Conley Terminal in the city of Boston.	\$8,000,000

SECTION 3. Chapter 6A of the General Laws is hereby amended by adding the following section:-

Section 104. (a) As used in this section the following words shall have the following meanings unless the context clearly requires otherwise:

"Compact", the Massachusetts Mobility Compact.

"Executive office", the executive office of transportation and public works.

"Independent agencies", shall include, without limitation the Massachusetts Turnpike Authority, the Massachusetts Bay Transportation Authority, the Massachusetts Port Authority and the Massachusetts Association of Regional Transit Authorities.

"Secretary", the secretary of transportation and public works.

"State agencies", shall include, without limitation the executive office, the department of highways, the Massachusetts aeronautics commission, the registry of motor vehicles and the department of conservation and recreation.

(b) There shall be a Massachusetts Mobility Compact, which shall be headed and coordinated by the secretary. All state and independent agencies shall be members of the compact. The compact shall improve the delivery of transportation services in the commonwealth by communicating regularly and more effectively and by adopting a cooperative and coordinated approach to transportation planning, design, construction, operation and maintenance aimed principally at: (i) increasing mobility for people and goods within and through the commonwealth in a safe, secure, environmentally-sustainable and efficient manner; (ii) promoting and adopting administrative efficiency and program improvement initiatives between and among transportation agencies and authorities; and (iii) sharing best practice techniques for implementation across transportation modes.

(c) Independent and state agencies which are members of the compact may issue purchase or work orders and execute contracts between and among themselves for the purpose of accomplishing the objectives of this section without regard to any procurement requirements; provided, however, that nothing in this section shall exempt an independent or state agency from the public construction bidding statutes including, but not limited to, chapter 30, chapter 149 and chapter 149A.

(d) The secretary shall conduct regular meetings of the chief executives of each of the Independent and state agencies which are members of the compact.

SECTION 4. Chapter 10 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by inserting after section 63 the following section:-

Section 63A. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Regional Transit Authorities Forward Funding Trust Fund, administered by the secretary of transportation and public works. Revenues allocated to the fund shall be expended for capital or other eligible activities for regional transit authorities. The amounts in the fund shall not be subject to appropriation. Amounts in the fund at the end of a fiscal year shall not revert and shall be available for expenditure in the subsequent year.

SECTION 5. Section 1 of chapter 16 of the General Laws, as so appearing, is hereby amended by striking out, in line 81, the word "chief" and inserting in place thereof the following word:- general.

SECTION 6. Chapter 16 of the General Laws is hereby further amended by inserting after section 4B the following 5 sections:-

Section 4C. (a) There shall be within the department a real estate appraisal review board. The board shall consist of not less than 3 nor more than 5 members to be appointed by the governor, 2 of whom shall be certified general real estate appraisers licensed by the board of real estate appraisers pursuant to section 92 of chapter 13. Members of the board shall be appointed for terms of 3 years or until a successor is appointed. Members shall be eligible to be reappointed and may be compensated at a rate to be determined by the department. Members of the board shall be state employees

for the purposes of chapter 268A. A chairman of the board shall be elected annually from the membership. The department shall provide administrative support to the council as requested. In the event of a vacancy on the board, the governor shall appoint a new member consistent with this section to fulfill the remainder of the unexpired term.

(b) The department shall not purchase or acquire by eminent domain any real property or any interest in real property with a value in excess of \$300,000 without the written approval of the board.

(c) The board shall meet periodically, but not less than twice each year. The board shall keep a public record of all meetings, votes and other business.

(d) The board shall submit an annual report of its activities during the preceding fiscal year not later than September 1 to the governor, the secretary of the executive office of transportation and public works, the commissioner, the chairs of the joint committee on transportation and the chairs of the house and senate committees on ways and means.

Section 4D. (a) The commissioner may establish a small town rural assistance program to assist towns with populations of 7,000 or less in undertaking projects to design, construct, reconstruct, widen, resurface, rehabilitate and otherwise improve roads and bridges or for the construction of chemical storage facilities. The program shall provide grant funds to towns for projects authorized by this section, and towns shall be eligible to receive one grant every 5 fiscal years. The amount of the grant shall not exceed \$500,000.

(b) The commissioner shall establish rules and regulations to govern the application and distribution of grants under this section. The rules and regulations shall include provisions for joint applications by 2 or more eligible towns for a single project serving those towns. Funds so distributed may be apportioned to reflect the percentage of the project located in each town. Receipt of a grant which is part of a joint application shall not preclude a town from receiving additional funds under a separate application; provided, however, that the total amount distributed to any 1 town shall not exceed the maximum amount allowed under this section. Any rules or regulations, or any amendment or repeal of any rules or regulations promulgated pursuant to this section shall be filed with the clerks of the senate and house of representatives.

(c) A town with a population of 7,000 or less may, by vote at an annual town meeting or at a special town meeting called for that purpose or, in a municipality having a town council form of government, by the town council, make application to the commissioner for financial assistance in undertaking a project described in this section. The application shall include the proposed cost of the project, the proposed location of the project and any other information specified by the rules or regulations.

(d) In evaluating the project and the level of funding, the commissioner shall consider, without limitation, the following: (1) the extent to which the project will have a beneficial impact upon the economy and public safety of an applicant town; (2) the availability of funds for the project under other state or federal programs; (3) the likelihood of funding under other state or federal programs; (4) the financial ability of the town to fund the project from its own sources; (5) the ability of the town to enter the capital markets to obtain borrowed funds for the project; and (6) the amount of state and federal highway funds expended or to be expended in the town.

(e) The commissioner shall report annually to the house and senate committees on ways and means and the joint committee on transportation on the status of all small town rural assistance applicants.

Section 4E. (a) The commissioner may establish a program to assist municipalities with non-federally-reimbursable public works economic development projects, to design, construct, repair and improve roads, roadways and other related public works facilities, as deemed necessary for economic development by the secretary of transportation and public works upon the petition of an appropriate local governmental body in accordance with this section and any rules or regulations promulgated by the secretary in accordance with this section. The rules and regulations shall govern the criteria by which the funds shall be distributed and the method by which a municipality may apply for such funds. Any rules or regulations or any amendment or repeal of any rules or regulations shall be filed with the clerks of the senate and house of representatives.

(b) The commissioner may commit the funds pursuant to this section by executing a grant or other contractual agreement with a municipality and, upon execution, the funds so committed shall be made available as a grant directly to the municipality which has entered into an agreement without further review or approval of the department. Each agreement shall contain assurances satisfactory to the commissioner that the municipality will award a construction contract for the project which is the subject of the agreement not later than 180 days after the date of execution of the agreement.

(c) In the event that a contract is not awarded by the municipality within the period provided in subsection (b), the commissioner may require, by written notification to the municipality, that the funds paid to it by the commonwealth pursuant to the agreement shall be returned forthwith to the commonwealth.

(d) The commissioner may, through execution of a grant or other contractual agreement as provided in subsection (b), commit an amount of funds up to but not exceeding the aggregate amount of funds returned by municipalities under subsection (c) to any other municipality which has otherwise complied with the applicable requirements for such projects, including the terms and conditions provided in this section.

(e) The commissioner shall report annually to the house and senate committees on ways and means and the joint committee on transportation on the status of all public works economic development applicants.

Section 4F. (a) The department of highways may provide functional replacement of real property in public ownership whenever the department has acquired such property in whole or in part under this chapter or when such property is significantly and adversely affected as a result of the acquisition of property for a highway or highway-related project and whenever the department determines that functional replacement is necessary and in the public interest. For the purposes of this section, "functional replacement" shall mean the replacement, pursuant to chapter 7, requiring authorization of the general court prior to disposition of real property, including either land or facilities thereon, or both, which will provide equivalent utility, and "real property in public ownership" shall mean any present or future interest in land, including rights of use, now existing or hereafter arising, held by an agency, authority, board, bureau, commission, department, division or other unit, body, instrumentality or political subdivision of the commonwealth. This section shall not constitute authorization by the general court as required by said chapter 7.

(b) Whenever the department determines it is necessary that a utility or utility facility, as defined under federal law, be relocated because of construction of a project which is to be reimbursed federally in whole or in part, then such facility shall be relocated by the department or by the owner thereof in accordance with an order from the department; provided, however, that the commonwealth shall reimburse the owner of such utility or utility facility for the cost of relocation subject to the limitations in subsections (e) and (f) and in accordance with the following formula: (1) for any utility facility that is to be reimbursed federally in whole or in part, the department shall reimburse the owner to the extent that the cost of relocating the utility facility is reimbursed by the federal government; and (2) for the relocation of any utility facility over \$50,000 that does not qualify for federal reimbursement, the department may reimburse the owner in accordance with the owner's ability to meet the following schedule: if the utility performs the relocation in a manner consistent with the department's policies and not later than the target date established by the department for the project, the department shall reimburse the utility at least 50 per cent but not more than 80 per cent of the costs of relocating the utility facility. Failure to comply with an order from the department shall be subject to enforcement under chapter 81 of the General Laws.

(c) Any relocation of facilities carried out under this section which is not performed by employees of the owner shall be subject to section 27 of chapter 149 of the General Laws.

(d) Notwithstanding any general or special law to the contrary, any utility facility that is required to be relocated because of the construction of a project federally funded under the Federal-Aid Highway Act of 1982 and the Federal-Aid Highway Act of 1987 may be relocated temporarily above ground during the construction of the project.

(e) The total cost to the commonwealth for reimbursements for utility relocations under this section that are not reimbursed federally in whole or in part shall not exceed \$10,000,000, annually, and shall not be credited toward the costs of the annual statewide road and bridge program.

(f) A utility relocation shall be eligible for reimbursement under this section only if it is completed to the satisfaction of the department within target dates established by the department and in accordance with design criteria set forth by the department for the relocation in a manner that facilitates the timely completion of the affected project.

Section 4G. Notwithstanding section 4F or any other general or special law to the contrary, the commonwealth, through the department of highways, may reimburse the owner of an underground utility or utility facility whenever such underground utility or utility facility has been relocated because of construction of a project which is to be reimbursed federally in whole or in part. The reimbursement authorized herein shall be to the extent that the cost of relocating the facility is reimbursed by the federal government.

SECTION 7. Section 2 of chapter 21E of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by inserting after the word "Authority", in lines 77, 216, 219, 428 and 463, each time it appears, the following words:- or the executive office of transportation and public works.

SECTION 8. Section 3I of chapter 23A of the General Laws, as so appearing, is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection:-

(b) Unless specifically required by federal law in connection with any grant for construction of a rail-trail, a municipality that has applied for and received a grant and has purchased the environmental insurance as

described in subsection (a) shall not be required to furnish to the Massachusetts Bay Transportation Authority, the executive office of transportation and public works or any person having an interest in the rail-trail project site, any other form of environmental insurance, or any defense, indemnification or hold-harmless agreement with respect to any claims, injuries, costs, damages or other relief arising out of or related to the pre-existing release or threat of release of oil or hazardous materials, as those terms are defined in chapter 21E, at or from the project site in connection with the design, acquisition, construction, use or maintenance of the rail-trail for which the application is made.

SECTION 9. Subsection (c) of said section 3I of said chapter 23A, as so appearing, is hereby amended by inserting before the first sentence the following sentence:- This section shall only apply to rail-trail projects on land in which a city or town acquires or has acquired an interest by deed, easement, lease, license or otherwise from the Massachusetts Bay Transportation Authority or the executive office of transportation and public works or a successor agency of either of them for the design, installation, construction, operation, maintenance or use of a rail-trail, as defined in section 2 of chapter 21E.

SECTION 10. The second sentence of the second paragraph of section 8B of chapter 29 of the General Laws, as so appearing, is hereby amended by adding the following words:- ; provided, however, that if there is more than 1 surety company, the surety companies shall be jointly and severally liable.

SECTION 11. Section 39M of chapter 30 of the General Laws, as so appearing, is hereby amended by inserting after the word "authority", in line 83, the following words:- ; provided further, that if there is more than 1 surety company, the surety companies shall be jointly and severally liable.

SECTION 12. Said chapter 30 of the General Laws is hereby amended by inserting after section 39M the following section:-

Section 39M1/2. (a) The following words shall have the following meanings unless the context clearly requires otherwise:

"Certified estimate of cost", a good-faith estimate based on the best available information and made by the most senior official in the agency responsible for the contract, accounting for all expenses which could be reasonably foreseen including, but not limited to, those involving design, construction, management, acquisition and disposition of rights of way and contingency costs.

"Cost-plus basis", a form of compensation in which a premium is added to the actual cost of service to determine a total amount to be paid.

"Major contract", a contract by which the commonwealth or any of its public agencies is to procure the construction of a highway, railway, bridge, tunnel or aviation facility or any component thereof and for which the certified estimate of cost exceeds \$50,000,000.

"Oversight cost estimate", an estimate developed by the commonwealth or any agency thereof, prior to the engagement of an owner's representative, of the anticipated total cost of the services of that representative. "Owner's representative", an individual registered by the commonwealth as a professional engineer, who has not less than 5 years of experience in the construction and supervision of construction of the type which is the subject of the pertinent major contract in nature, scope and complexity.

"Owner's representative" shall mean an individual registered by the commonwealth as a professional engineer, who has not less than 5 years of experience in the construction and supervision of construction of the type which is the subject of the pertinent major contract in nature, scope and complexity.

(b) The commonwealth or any agency or authority thereof shall engage and maintain an owner's representative to provide professional project oversight with regard to any major contract. Such representative shall be an individual employed by a corporation, partnership, sole proprietorship, joint stock company, joint venture or other entity engaged in the practice of providing project management services for public construction of the nature, scope and complexity which is the subject of the contract. A public agency may designate an existing employee as owner's representative subject to the conditions set forth in subsection (c).

(c) An existing employee of a public agency may act as its owner's representative if the following conditions are met:

(1) the employee meets or exceeds the qualifications set forth in subsection (b);

(2) the employee has suitable experience in the construction and supervision of projects of the nature, scope and complexity of the relevant major contract; and

(3) The employee and his employer have entered into a memorandum of understanding, contract or other comparable document establishing the independence of the employee as being equal to that of an owner's representative contracted from the private sector;

(d) An owner's representative shall certify in writing, under the pains and penalties of perjury, that his sole responsibility shall be to the commonwealth and the agency which has retained his services. The independent owner's representative shall be wholly independent of the designer, general

contractor or any subcontractor involved in the public works project and shall attest to the same in a sworn statement.

(e) An owner's representative shall be subject to chapter 268A.

(f) An owner's representative shall be selected and retained prior to the award of a major contract by any public agency; provided, however, that such agency shall select and procure the services of the owner's representative through a process which is documented in writing, incorporates the evaluation of qualifications and experience and is competitive in nature. The process shall utilize a system of written applications which shall be retained for inspection for a period of not less than 6 months following the selection of an owner's representative. The process shall also be promulgated in writing by the inspector general prior to the commencement of any hiring process pursuant to this section.

(g) Any major contract executed prior to the selection of an owner's representative shall be null and void as against public policy. Prior to the award of any major contract, the public agency seeking to award the contract shall certify in writing to the inspector general that an owner's representative has been selected.

(h) Any individual, organization or agency eligible to receive information from an owner's representative shall do so in a form and manner approved and promulgated by the inspector general. Upon receipt of such request, the owner's representative shall respond within 60 days. Such response shall contain the requested information, indicate why it is not available to the party requesting it or indicate a date certain when the information will be available and the date on which it will be provided. A party denied information pursuant to this section may appeal such denial to the inspector general.

(i) The owner's representative shall conduct a peer review of engineering elements on its projects.

(j) The owner's representative shall be the primary manager of cost recovery and value engineering on the project.

(k) The owner's representative shall enjoy unfettered access to project work sites, documents, and correspondence.

(l) The owner's representative shall file reports on the project, under oath, not later than December 31 of each year in which their contract is in effect, to the inspector general, to the secretary of transportation and public works, the house and senate chairs of the joint committee on transportation and to the state auditor.

(m) The inspector general shall promulgate regulations governing the operations and actions of owner's representatives which shall include, but not be limited to, sanctions for misfeasance, malfeasance and the failure to adhere to any contracts or agreements executed pursuant to this section.

(n) In no instance shall an awarding agency execute a contract that pays the independent owner's representative on a cost-plus basis. Awarding agencies shall establish an oversight cost estimate for the work of an owner's representative prior to the hiring of the owner's representative.

SECTION 13. Section 21 of chapter 81 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by inserting after the word "purpose", in line 2, the following words:- , nor access granted thereto for any purpose.

SECTION 14. Said section 21 of said chapter 81, as so appearing, is hereby further amended by striking out, in lines 27 and 28, the words ", but shall be not less than two thousand dollars nor more than fifty thousand dollars" and inserting in place thereof the following words:- ; provided, however, that the bond shall be not less than \$300,000 unless a lesser amount is approved in writing by a representative of the department.

SECTION 15. Chapter 85 of the General Laws is hereby amended by striking out section 7A, as appearing in the 2006 Official Edition, and inserting in place thereof the following section:-

Section 7A. (a) For the purposes of this section, the word "person" shall include surveyors of highways, road commissioners, superintendents of streets in towns, commissioners of public works in cities and towns, the chief engineer of the state department of highways, the chief engineer of the Massachusetts Turnpike Authority, the chief administrative officer of state agencies and private persons, including corporations.

(b) No person shall store sodium chloride, calcium chloride or chemically treated abrasives or other chemicals used for the removal of snow or ice on roads in such a manner or place as to subject a water supply or groundwater supply to the risk of contamination.

(c) Any sodium chloride, calcium chloride or chemically treated abrasives or other chemicals used for the removal of snow or ice on roads and stored within 200 yards of an established river or estuary shall be stored in a solid frame storage shed to insure against ground leaching and airborne pollution of surrounding property. This subsection shall not apply to:

(1) a water-dependent marine cargo facility that: on or before May 10, 1991, stored or distributed any such snow removal chemicals; is currently located at the site from which such chemicals were stored or distributed on or before May 10, 1991; such chemicals are stored or distributed within 200 yards of an established river or estuary; and such river or estuary has a depth-averaged annual salinity, greater than 10 parts per 1,000, or

(2) a water-dependent marine cargo facility that stores or distributes any such snow removal chemicals; is located on an established river or estuary that has a depth-averaged annual salinity greater than 10 parts per 1,000; is not located on commonwealth tidelands; and has an agreement with the municipality in which it is located, providing for best management practices.

(d) The department of environmental protection, hereinafter called the department, in consultation with the department of highways, may issue regulations as to place or manner of storage of such chemicals and may, by specific order, in a particular case regulate the place where such chemicals may be used for such purpose. All facilities storing chemicals used for the removal of snow and ice on roads shall annually review their best management practices and shall have such practices described in writing for inspection at the facility by the department on or before November first each year.

(e) Any violation of this section or any regulation or order issued hereunder shall be punished by a fine not to exceed \$50 per day.

(f) Any person who uses more than 1 ton of the chemicals described in subsection (a) in any calendar year shall report annually to the department on November first, and at such other times as prescribed, the amount of such chemicals used in the previous 12 months specified by road section or other location and the amount of chemicals on hand. Copies of such report shall be made available upon the request of any concerned state or municipal agency or commission. The department may require studies by competent professional personnel of the probable impact of proposed new or improved highways and the maintenance thereof by use of such chemicals upon reservoirs, ponds, streams, lakes, wetlands and the groundwater aquifers associated with both public and private water sources. Estimates of such chemicals to be applied on proposed roads and other paved areas shall be based upon the most recent records of chemicals actually applied as reported under this section.

SECTION 16. Section 1A of chapter 90 the General Laws, as so appearing, is hereby amended by inserting after the word "thereof", in line 9, the following words:- or by the Massachusetts Turnpike Authority, the Massachusetts Bay Transportation Authority or the Massachusetts Port Authority.

SECTION 17. Section 2E of said chapter 90, as so appearing, is hereby amended by striking out subsection (c) and inserting in place thereof the following subsection:-

(c) The registrar shall furnish, upon application, to the owners of private passenger motor vehicles distinctive registration plates which shall display on their face a design with the image of the American flag and the words "United We Stand" to commemorate the victims and heroes of the September 11, 2001 terrorist attack and the Massachusetts Military heroes from United States military Operations Enduring Freedom, Iraqi Freedom and Noble Eagle. There shall be a fee of not less than \$40 for such plates in addition to the established registration fee for private passenger motor vehicles, which shall be payable at the time of registration of such vehicle and at each renewal thereof. The portion of the total fee remaining after the deduction of the costs directly attributable to the issuance of such plates shall be deposited in a registry retained revenue account and of the remaining portion of such fee, 50 per cent shall be directed to the Massachusetts 9/11 Fund, Inc. and distributed by such fund at its discretion for the benefit of the relatives of the Massachusetts victims of the September 11, 2001 terrorist attack on America; 25 per cent shall be directed to the Massachusetts Military Heroes Fund, Inc. and distributed by such fund at its discretion for the benefit of the families of military service personnel from Massachusetts killed while in service to the United States as a result of, or in support of, Operations Enduring Freedom, Iraqi Freedom or Noble Eagle; and 25 per cent shall be deposited in the Commonwealth Security Trust Fund established in section 67 of chapter 10. In the event the Massachusetts 9/11 Fund, Inc. has met its obligations to design, construct and maintain a memorial to the victims of the September 11, 2001 terrorist attack on America, any funds not necessary for the continued maintenance of the memorial shall be made available to the Massachusetts 9/11 Fund, Inc. and distributed by such fund at its discretion for the benefit of the relatives of the Massachusetts victims of the September 11, 2001 terrorist attack on America.

SECTION 18. Section 24I of said chapter 90, as so appearing, is hereby amended by striking out subsection (a), and inserting in place thereof the following subsection:-

(a) As used in this section, the following words shall have the following meanings:

"Open container," a bottle, can or other receptacle used to contain a liquid that has been opened or has a broken seal or the contents of which have been partially removed or consumed; provided, however, that a bottle resealed pursuant to section 12 of chapter 138 shall not be considered an open container; provided further, that a resealed bottle shall not be transported in the passenger area.

"Passenger area," the area designed to seat the driver and passengers while the motor vehicle is in operation and any area that is readily accessible to the driver or a passenger while in a seated position including,

but not limited to, the glove compartment; provided, however, that the passenger area shall not include a motor vehicle's trunk or a locked glove compartment or, if a motor vehicle is not equipped with a trunk, the area behind the last upright seat or an area not normally occupied by the driver or passenger.

SECTION 19. Paragraph (a) of clause (2) of the first paragraph of section 34 of said chapter 90, as so appearing, is hereby amended by inserting after the first sentence the following sentence:- Such engineering services, including surveying services, shall only be performed by architectural, engineering or surveying firms prequalified by the department; provided, however, that a municipality may seek a waiver of this requirement from the department if the municipality demonstrates to the satisfaction of the department that it is cost prohibitive to use a prequalified firm.

SECTION 20. Section 12 of chapter 138 of the General Laws, as so appearing, is hereby amended by inserting after the word "commission", in line 23, the following words:- and transported in a manner authorized in section 24I of chapter 90 when carried in a motor vehicle, as defined in section 1 of said chapter 90.

SECTION 21. The first paragraph of section 27 of chapter 149 of the General Laws, as so appearing, is hereby amended by inserting after the third sentence the following 2 sentences:- Each year after the awarding of the contract, the public official or public body shall submit to the commissioner a list of the jobs upon which mechanics and apprentices and laborers are to be employed and shall request that the commissioner update the determination of the rate of wages to be paid on each job. The general contractor shall annually obtain updated rates from the public official or public body and no contractor or subcontractor shall pay less than the rates so established.

SECTION 22. Said section 27 of said chapter 149, as so appearing, is hereby further amended by inserting after the word "schedule", in line 29, the following words:- and subsequent updates.

SECTION 23. Section 44D½ of said chapter 149, as so appearing, is hereby amended by striking out, in line 148, the word "fraud" and inserting in place thereof the following words:- arbitrariness, capriciousness, fraud.

SECTION 24. Section 44D¾ of said chapter 149, as so appearing, is hereby amended by striking out, in line 138, the word "fraud" and inserting in place thereof the following words:- arbitrariness, capriciousness, fraud.

SECTION 25. Section 44E of said chapter 149, as so appearing, is hereby amended by inserting after the word "price", in lines 65 and 241, each time it appears, the following words:- ; provided, however, that if there is more than 1 surety company, the surety companies shall be jointly and severally liable.

SECTION 26. Section 44J of said chapter 149, as so appearing, is hereby amended by adding the following subsection:-

(9) No request for proposals or invitation for bids issued under sections 38A½ to 38O, inclusive, of chapter 7, section 11C of chapter 25A, section 39M of chapter 30, this section and sections 44A to 44H, inclusive, shall be advertised if the awarding authority's cost estimate is greater than 1 year old.

SECTION 27. Chapter 149A of the General Laws is hereby amended by inserting after section 15 the following section:-

Section 15½. (a) The following words shall have the following meanings unless the context clearly requires otherwise.

(a) The following words shall have the following meanings unless the context clearly requires otherwise:

"Certified estimate of cost", a good-faith estimate based on the best available information and made by the most senior official in the agency responsible for the contract, accounting for all expenses which could be reasonably foreseen including, but not limited to, those involving design, construction, management, acquisition and disposition of rights of way and contingency costs.

"Cost-plus basis", a form of compensation in which a premium is added to the actual cost of service to determine a total amount to be paid.

"Major contract", a contract by which the commonwealth or any of its public agencies is to procure the construction of a highway, railway, bridge, tunnel or aviation facility or any component thereof and for which the certified estimate of cost exceeds \$50,000,000.

"Oversight cost estimate", an estimate developed by the commonwealth or any agency thereof, prior to the engagement of an owner's representative, of the anticipated total cost of the services of that representative. "Owner's representative", an individual registered by the commonwealth as a professional engineer, who has not less than 5 years of experience in the construction and supervision of construction of the type which is the subject of the pertinent major contract in nature, scope and complexity.

"Owner's representative" shall mean an individual registered by the commonwealth as a professional engineer, who has not less than five years of experience in the construction and supervision of construction of the type which is the subject of the pertinent major contract in nature, scope and complexity.

(b) The commonwealth or any agency or authority thereof shall engage and maintain an owner's representative to provide professional project oversight

with regard to any major contract. Such representative shall be an individual employed by a corporation, partnership, sole proprietorship, joint stock company, joint venture or other entity engaged in the practice of providing project management services for public construction of the nature, scope and complexity which is the subject of the contract. A public agency may designate an existing employee as owner's representative subject to the conditions set forth in subsection (c).

(c) An existing employee of a public agency may act as its owner's representative if the following conditions are met:

(1) the employee meets or exceeds the qualifications set forth in subsection (b);

(2) the employee has suitable experience in the construction and supervision of projects of the nature, scope and complexity of the relevant major contract; and

(3) The employee and his employer have entered into a memorandum of understanding, contract or other comparable document establishing the independence of the employee as being equal to that of an owner's representative contracted from the private sector;

(d) An owner's representative shall certify in writing, under the pains and penalties of perjury, that his sole responsibility shall be to the commonwealth and the agency which has retained his services. The independent owner's representative shall be wholly independent of the designer, general contractor or any subcontractor involved in the public works project and shall attest to the same in a sworn statement.

(e) An owner's representative shall be subject to chapter 268A.

(f) An owner's representative shall be selected and retained prior to the award of a major contract by any public agency; provided, however, that such agency shall select and procure the services of the owner's representative through a process which is documented in writing, incorporates the evaluation of qualifications and experience and is competitive in nature. The process shall utilize a system of written applications which shall be retained for inspection for a period of not less than 6 months following the selection of an owner's representative. The process shall also be promulgated in writing by the inspector general prior to the commencement of any hiring process pursuant to this section.

(g) Any major contract executed prior to the selection of an owner's representative shall be null and void as against public policy. Prior to the award of any major contract, the public agency seeking to award the contract shall certify in writing to the inspector general that an owner's representative has been selected.

(h) Any individual, organization or agency eligible to receive information from an owner's representative shall do so in a form and manner approved and promulgated by the inspector general. Upon receipt of such request, the owner's representative shall respond within 60 days. Such response shall contain the requested information, indicate why it is not available to the party requesting it or indicate a date certain when the information will be available and the date on which it will be provided. A party denied information pursuant to this section may appeal such denial to the inspector general.

(i) The owner's representative shall conduct a peer review of engineering elements on its projects.

(j) The owner's representative shall be the primary manager of cost recovery and value engineering on the project.

(k) The owner's representative shall enjoy unfettered access to project work sites, documents, and correspondence.

(l) The owner's representative shall file reports on the project, under oath, not later than December 31 of each year in which their contract is in effect, to the inspector general, to the secretary of transportation and public works, the house and senate chairs of the joint committee on transportation and to the state auditor.

(m) The inspector general shall promulgate regulations governing the operations and actions of owner's representatives which shall include, but not be limited to, sanctions for misfeasance, malfeasance and the failure to adhere to any contracts or agreements executed pursuant to this section.

(n) In no instance shall an awarding agency execute a contract that pays the independent owner's representative on a cost-plus basis. Awarding agencies shall establish an oversight cost estimate for the work of an owner's representative prior to the hiring of the owner's representative.

SECTION 28. Section 25B of chapter 152 of the General Laws, as so appearing, is hereby amended by inserting after the word "commonwealth" in lines 1 and 2, the following words:- , the Massachusetts Turnpike Authority, the Massachusetts Bay Transportation Authority, the Massachusetts Port Authority.

SECTION 29. Section 24 of chapter 161A of the General Laws, as so appearing, is hereby amended by adding the following paragraph:-

Notwithstanding section 168 of chapter 175 or any other general or special law to the contrary, the authority shall be exempt from any fees or taxes associated with surplus lines insurance; provided, however, that the exemption shall extend to any insurance broker for any insurance premium tax or surplus lines tax being incurred or having been incurred by the insurance

broker as a result of the insurance having been procured, placed, negotiated, continued or renewed for or on behalf of the authority.

SECTION 30. The first paragraph of section 17 of chapter 732 of the acts of 1981 is hereby amended by striking out clause (c).

SECTION 31. Section 1 of chapter 335 of the acts of 1982 is hereby amended by striking out clause (b).

SECTION 32. Chapter 19 of the acts of 1983 is hereby repealed.

SECTION 33. Section 32 of chapter 637 of the acts of 1983 is hereby repealed.

SECTION 34. Clause (n) of section 3 of chapter 811 of the acts of 1985 is hereby amended by striking out, in line 7, the word "one" and inserting in place thereof the following figure:- 2.

SECTION 35. Section 1 of chapter 367 of the acts of 1992 is hereby amended by striking out, in lines 10 and 11, the words "five hundred seventy-four and eighty-six one hundredths feet (574.86') " and inserting in place thereof the following words:- five hundred eighty-five and eleven one hundredths feet (585.11').

SECTION 36. Said section 1 of said chapter 367 is hereby further amended by striking out, in lines 13 and 14, the words "two thousand four hundred and ninety feet (2490') " and inserting in place thereof the following words:- two thousand four hundred and seventy-nine feet (2,479').

SECTION 37. Chapter 301 of the acts of 1998 is hereby amended by striking out sections 1 to 31, inclusive, and inserting in place thereof the following 36 sections:-

Section 1. It is hereby found that the closure of the Naval Air Station hereinafter referred to as NAS South Weymouth, by the United States Government in September of 1997 is detrimental to the economic welfare of the citizens of the commonwealth and, in particular, the towns of Abington and Rockland and the city known as the town of Weymouth, hereinafter referred to as the town of Weymouth. The closure of this military installation imposes upon the commonwealth and its citizens an increased fiscal burden in addition to that incurred by the commonwealth on account of the closure of various other military installations in the commonwealth. It is of considerable importance that the approximately 1,500 acres encompassing the NAS South Weymouth be acquired expeditiously by an entity empowered to fully redevelop the property for the benefit of the towns of Abington, Rockland and Weymouth, the region and the commonwealth. Because the base is located in 3 different jurisdictions, its orderly redevelopment will depend on the formulation of a comprehensive, consensus Reuse Plan and implementation of uniform redevelopment policies for the property. It will be necessary to establish incentives to attract private businesses to locate and expand their operations at NAS South Weymouth, including providing those businesses with tax incentives and relief from inconsistent land use controls. Therefore, it is the purpose of this act to promote the expeditious and orderly conversion and redevelopment of NAS South Weymouth for nonmilitary purposes, including, but not limited to, commercial, housing, industrial, institutional, educational, governmental, recreational, conservation or manufacturing uses in order to prevent blight, economic dislocation and additional unemployment, and to aid and strengthen the local economy, the regional economy and the economy of the commonwealth. In order to achieve these objectives, it is deemed necessary and appropriate to establish a public corporation with full powers and authority to carry out the purposes of this act.

Section 2. It shall be the goal of this act to promote the expeditious acquisition and redevelopment of NAS South Weymouth while addressing the economic, social and environmental needs of the region. This goal shall be accomplished in a manner consistent with the consensus Reuse Plan prepared by the Naval air station planning committee and approved by a majority vote of the town meetings of the towns of Abington, Rockland and Weymouth, on March 23, 1998, March 16, 1998 and March 4, 1998, respectively, and approved by the commonwealth and the United States Department of Defense. The passage of this act shall constitute such approval of the commonwealth and shall constitute approval for amendments to the Reuse Plan as may be approved by the town meetings of the towns of Abington and Rockland and the town council of the town of Weymouth. The Reuse Plan is intended to significantly stimulate economic activity and jobs on the base property while protecting the environment and enhancing the quality of life in the region. The redevelopment is designed to minimize and mitigate negative off-base impacts on the area such as those on water resources, air quality, traffic and noise, and to limit the impacts to those necessary to achieve community reuse goals and objectives. The redevelopment shall be integrated with the United States government's cleanup of hazardous materials on the base to ensure effective, expeditious and efficient environmental remediation and protection of public health and welfare in accordance with federal and state law and regulation.

Section 3. There is hereby created a body politic and corporate, to be known as South Shore Tri-Town Development Corporation, to carry out this act. The corporation is hereby deemed to be a public instrumentality, and the exercise by the corporation of the powers conferred by this act shall be deemed and held to be the performance of public functions. The corporation shall be included within the definition of a "local governmental unit", as defined in section 1 of chapter 29C of the General Laws, and its bonds and

notes shall be included within the definition of "local governmental obligations", as defined in said section 1 of said chapter 29C. The corporation shall be included within the definition of a "governmental entity" for purposes of owning public infrastructure improvements pursuant to chapter 293 of the acts of 2006. The corporation shall be an "eligible applicant" and a municipality for the purposes of the General Laws and the corporation and the town of Weymouth shall both be eligible for any financial or other assistance from the Massachusetts School Building Authority.

To achieve its primary purpose of securing the redevelopment of NAS South Weymouth to the greatest benefit of the towns of Abington, Rockland and Weymouth, the corporation shall be guided in its financing activities with the goal of maximizing the fiscal benefit to the towns stemming from the redevelopment from a long term perspective. The corporation, during its existence, shall attempt to pursue the redevelopment in a manner that imposes no costs on the towns for the provision of police and fire protection, emergency services, water and sewer, schools, road and highway, parking, transportation, telecommunications, lighting, recreation and other municipal services. The corporation shall, to the maximum extent feasible and consistent with the Reuse Plan and zoning by-laws, dispose of all of the property within the NAS South Weymouth Redevelopment Area through sale or other transfer prior to said corporation's termination as provided in section 33.

Section 4. As used in this act, the following words shall, unless the context requires otherwise, have the following meanings:

(a) "Agency", Massachusetts Development Finance Agency, a Massachusetts body politic and corporate established by section 2 of chapter 23G of the Massachusetts General Laws, which is the successor-in-interest to the government land bank under chapter 289 of the acts of 1998.

(b) "Government land bank", the government land bank established by chapter 212 of the acts of 1975, or its successors, including the agency.

(c) "Board", the board of directors of South Shore Tri-Town Development Corporation established by section 9.

(d) "Bond termination date", the latest date on which all amounts outstanding under bonds or notes issued by the corporation pursuant to this act or by the agency pursuant to section 6 of chapter 293 of the acts of 2006, including all obligations of the corporation undertaken in connection with the issuance of such bonds of the agency, have been paid in full, which date shall be no later than December 31, 2053.

(e) "Central redevelopment area", the central portion of the NAS South Weymouth Redevelopment Area as defined in the Reuse Plan and zoning by-laws within which the corporation shall have full and exclusive administration of zoning, licensing, inspection and permitting authority for the implementation of and in accordance with the Reuse Plan and zoning by-laws.

(f) "Commissioner", the commissioner of revenue.

(g) "Corporation", the corporation established by section 3.

(h) "Dissolution and Administration Agreement", the dissolution and administration agreement authorized pursuant to section 33.

(i) "Financing MOA", the Memorandum of Agreement on Financing for the South Shore Tri-Town Development Corporation's Parkway dated as of January 31, 2008, by and between the commonwealth, acting by and through its executive office for administration and finance and its executive office of transportation and public works, and the corporation, as amended from time to time.

(j) "Infrastructure", all infrastructure included in the project.

(k) "Naval air station planning committee", the committee established by governor's Executive Order No. 378, dated September 20, 1995.

(l) "NAS South Weymouth", the military base formerly known as the Naval Air Station South Weymouth, which was disestablished in accordance with the recommendation of the 1995 Base Realignment and Closure Commission, pursuant to 10 U.S.C. § 2687, as amended.

(m) "NAS South Weymouth Region", (a) towns as defined in this act; (b) all municipalities contiguous to the towns; and (c) all municipalities contiguous to the municipalities in subsection (b); provided, however, that the NAS South Weymouth Region shall not include the city of Boston.

(n) "Perimeter area", the outer portions of the NAS South Weymouth Redevelopment Area as specifically defined in the Reuse Plan and zoning by-laws within which each town shall have full and exclusive administration of zoning, licensing, inspection and permitting authority for the implementation of and in accordance with the Reuse Plan and zoning by-laws in its respective sector of the NAS South Weymouth Redevelopment Area.

(o) "Project", the acquisition, development, improvement, construction, expansion, reduction, destruction and renovation of all real and personal property and buildings, structures, utilities and utility services located on, conducted within or otherwise directly associated with the NAS South Weymouth Redevelopment Area, which shall be owned by the corporation, the towns, the commonwealth or an other political subdivision or public instrumentality of the commonwealth including, but not limited to, all infrastructure for the provision of gas; cable television; telephone; storm drainage systems; dams; sewage treatment plants; sewers; water and well systems; roads; highways; bridges; culverts; tunnels; streets; sidewalks;

lighting; parking, including garages; schools; public safety; public works and administration buildings; parks; cultural and performing arts facilities; recreational facilities; transportation stations and related facilities; shuttle transportation equipment; fiber and telecommunication systems; facilities to produce and distribute electricity, including alternate energy sources such as co-generation and solar installations; the investigation and remediation associated with the cleanup of actual or perceived environmental contamination in accordance with applicable governmental regulations; and all other programs, services, systems and other activities associated therewith, located on, conducted within or otherwise directly associated with the NAS South Weymouth Redevelopment Area.

(p) "Reuse Plan and zoning by-laws", the Reuse Plan and implementing zoning by-laws for the redevelopment of NAS South Weymouth prepared by the Naval air station planning committee pursuant to governor's Executive Order No. 378, dated September 20, 1995, and approved by the towns pursuant to section 14, and as the same may be amended from time to time. The purpose of the Reuse Plan and zoning by-laws shall be to establish redevelopment objectives, policies and standards to guide public and private decision-making and investment and to ensure the maintenance of quality of life and the protection of natural resources.

(q) "Secretary", the secretary of administration and finance.

(r) "Taxation plan", the plan established under section 15.

(s) "Town", the town of Abington, Rockland or Weymouth, within the corporate boundaries in which NAS South Weymouth is located.

(t) "Towns", the towns of Abington, Rockland and Weymouth.

Section 5. The NAS South Weymouth Redevelopment Area is hereby created. Plans and descriptions detailing the precise boundaries and configuration of the NAS South Weymouth Redevelopment Area, including the precise boundaries of the land of NAS South Weymouth which shall be transferred to the United States Coast Guard and Federal Aviation Administration, the precise boundaries of the land of each town located within the NAS South Weymouth Redevelopment Area and the precise boundaries of the central redevelopment area and perimeter area, shall be prepared by the corporation, reviewed by the boards of selectmen or town council of the towns, and filed with the secretary and recorded in the Plymouth county registry of deeds and the Norfolk county registry of deeds; provided, however, that the NAS South Weymouth Redevelopment Area shall be comprised of the central redevelopment area and the perimeter area and shall include the lands, including all easements, reservations and rights appurtenant thereto, and all buildings, structures, utilities and improvements located thereon, comprised of the former military base of that name presently located in the towns of Abington, Rockland and Weymouth and now or formerly within the ownership, control and jurisdiction of the United States, including those portions of the base property transferred as of the effective date of this act or to be transferred at some future date to the United States Coast Guard and Federal Aviation Administration pursuant to the federal screening process. The filings shall take place within 180 days of the effective date of this act.

Section 6. The corporation shall have all of the powers necessary or convenient to carry out the purposes and provisions of this act, including the power to:

(a) except as otherwise expressly provided in this act, and subject to section 31 of chapter 44 of the General Laws, exercise the rights provided to municipal governments and agencies under federal laws and regulations and under the constitution, laws and regulations of the commonwealth;

(b) sue and be sued in all courts and to initiate or participate in actions and proceedings, whether judicial, administrative, arbitative or otherwise;

(c) adopt a seal and alter such seal at its pleasure and use it by causing it or a facsimile to be affixed or impressed or reproduced in any manner;

(d) own, acquire, construct, manage, operate, convey or lease infrastructure improvements or any facilities for the project, including the distribution of public utilities including, but not limited to, electricity, gas, water, waste water and sewer and sewage treatment and disposal, refuse collection and disposal, telecommunications and cable services, and to own, manage, operate or lease the production plant for steam that is located on, conducted within or otherwise directly associated with NAS South Weymouth;

(e) develop, own, manage, operate, regulate or lease wells to procure water from productive aquifers underlying the NAS South Weymouth Redevelopment Area in accordance with sections 38 and 39A of chapter 40 of the General Laws and determine and collect, or authorize the collection on its behalf of assessments and other charges related to constructing and maintaining such systems, as provided in said chapter 40; provided, however, that the procurement of such water shall not materially adversely affect the supply of water available to a town;

(f) and develop, own, manage, operate, regulate, convey or lease facilities of common sewers and main drains, and facilities for waste water and sewage treatment and disposal and determine and collect, or authorize the collection on its behalf of assessments and other charges related to laying

out, constructing and maintaining such systems, as provided in this act and pursuant to chapter 83 of the General Laws;

(g) develop, own, manage, operate, regulate or lease surface water reservoirs within the NAS South Weymouth Redevelopment Area and connect to or otherwise purchase or lease water from the water system of a town, an other municipality or an other governmental or quasi-governmental agency or an other public or private entity for the provision of water within the NAS South Weymouth Redevelopment Area, and develop, own, manage, operate, regulate, convey or lease any and all systems for the delivery of such water within the NAS South Weymouth Redevelopment Area; provided, however, that the procurement of such water does not materially adversely affect the supply of water available to any of the towns;

(h) make and execute agreements with 1 or more of the towns or other appropriate public or private agencies and entities for the provision of police, fire, emergency medical, schools and other municipal services within the NAS South Weymouth Redevelopment Area; provided, however, that, after consideration of public health and safety issues, operational efficiencies and costs, and other relevant considerations, preference in the provision of such municipal services shall be given to the towns before entering into any such agreements with other public or private agencies and entities;

(i) exercise the power of eminent domain within the NAS South Weymouth Redevelopment Area as provided in chapters 79, 79A, 80 and 80A of the General Laws;

(j) appoint, prescribe the qualifications and fix the compensation of corporate officers, agents and employees, and pay the same out of funds of the corporation;

(k) appoint legal counsel and fix compensation for such services rendered to the corporation;

(l) appoint qualified boards, commissions, committees or subcommittees, including those responsible for zoning, subdivision and other land use or permitting approvals whose members need not be directors of the board, and individuals, in addition to the advisory board established pursuant to section 10, to serve as unpaid advisors under such terms and conditions as it may deem necessary; provided, however, that such boards, commissions, committees, subcommittees and individuals may be reimbursed for incidental expenses determined by the corporation to be necessary and incurred while performing the business of the corporation;

(m) acquire, hold and dispose of personal property within the NAS South Weymouth Redevelopment Area for its corporate purposes;

(n) acquire easements and other interests in land directly associated with the NAS South Weymouth Redevelopment Area in connection with the project;

(o) purchase, receive, take by grant, gift, devise, bequest, lease, or otherwise acquire, own, hold, improve, employ, use or otherwise manage real and personal property or any interest therein, whether tangible or intangible, for its purposes, located within the NAS South Weymouth Redevelopment Area, except for any federally-owned property of the former NAS South Weymouth which shall be or has been transferred to the United States Coast Guard and Federal Aviation Administration; provided, however, that when any of the excepted property is declared to be surplus to the needs of the United States government, the corporation may obtain any and all like interest in the property as described herein;

(p) sell, convey, lease, exchange, transfer, or otherwise dispose of, or mortgage, pledge or create a security interest in the project and all or any of its real or personal property or any interest therein, using procedures adopted by the corporation; provided, however, that any such transaction consummated in fulfillment of the obligations of the Naval air station planning committee assumed by the corporation under clause (iii) of paragraph (b) of section 8 shall be exempt from the public bidding and procurement requirements applicable to bodies politic and corporate of the commonwealth imposed by general or special law, including, without limitation, the requirements of chapter 7 of the General Laws and regulations promulgated thereunder governing the division of capital asset management and maintenance; and provided further, that the corporation may, pursuant to an affirmative vote and by either stating the public convenience and necessity therefor or by determining that consideration in excess of fair market value is being paid theretofor or furnished in connection therewith, exempt any other such transaction from these requirements;

(q) apply for and, for the purposes of this act, accept gifts, loans, grants of property, funds, money, materials, labor, supplies or services from a person or from the United States government or its departments or agencies or from an agency of the commonwealth or a political subdivision thereof, or make agreements with respect to any such gifts, loans or grants, and to do any and all things necessary, useful, desirable or convenient in connection with procuring, accepting or disposing of such gifts, loans or grants;

(r) purchase, take, receive, subscribe for, or otherwise acquire, hold, make a tender offer for, vote, employ, sell, lend, lease, exchange, transfer or otherwise dispose of, mortgage, pledge or grant a security interest in, use or otherwise deal in and with, bonds and other obligations, shares or

other securities or interests therein issued by others, whether engaged in a similar or different business or activity;

(s) make and execute agreements, contracts, project labor agreements and other instruments necessary or convenient in the exercise of the powers and functions of the corporation under this act, including contracts with a person, firm, corporation, municipality, commonwealth agency, governmental unit or other entity, foreign or domestic;

(t) assess and collect taxes, assessments, special assessments, betterments and fees within the NAS South Weymouth Redevelopment Area under the General Laws and the powers granted by this act, in order to generate revenues to pay the cost of operations of the corporation, amounts due on outstanding indebtedness of the corporation, maintenance of the property, environmental remediation and monitoring of the property and the construction and maintenance of the project, infrastructure improvements within or associated with the NAS South Weymouth Redevelopment Area in accordance with this act, the General Laws, the Reuse Plan and zoning by-laws approved by the towns, including the funding provisions thereof and for all other purposes for which cities and towns may assess and collect such taxes, assessments, special assessments, betterments and fees, and distribute excess revenues in accordance with section 19. If connection with the foregoing, the corporation shall have all the powers and authority of cities and towns under chapters 59, 60, 60A, 61B and section 3A of chapter 64G of the General Laws, and any powers that require adoption by cities and towns if adopted by the corporation;

(u) administer land use and zoning controls and zoning, subdivision, licensing, inspection, and other municipal permitting, licensing and inspection activities within the central redevelopment area as defined for such administration in the Reuse Plan and zoning by-laws approved by the towns, and to enter into agreements with the towns whereby any such activities which the corporation may determine shall be more effectively administered by a town shall be within such town's administration, subject to such town's agreement to enter into such agreements. Except as otherwise expressly provided in the zoning by-laws approved by the towns under section 14, (a) in the administration of the activities authorized under this section in the central redevelopment area, the corporation may take action and issue permits, approvals, licenses, orders, determinations and other entitlements in accordance with the procedures and standards from time to time applicable to municipalities and their boards, commissions and agencies so authorized to take such action or to issue any such permit, approval, license, order, determination or other entitlement under the General Laws; provided, however, that the regulations developed and adopted by the corporation under section 14 may provide for expedited permitting under which the time frames for action applicable to municipalities and their boards, commissions and agencies under the provisions of the General Laws are shortened; and (b) all such actions, including a failure to take action, and such permits, approvals, licenses, orders, determinations and other entitlements shall have the legal effect and duration as provided in the General Laws, except for any shortened time frames expressly provided in such regulations. Upon termination of the corporation under section 33, the authority to administer such activities shall be vested in the towns in accordance with the dissolution and administration agreement and the General Laws, but no action or inaction of or permit, approval, license, order, determination or entitlements issued by the corporation prior thereto or any activity undertaken or improvement made in accordance therewith shall be affected thereby. Any and all municipal powers which do not involve the administration by the corporation of such land use and zoning controls and zoning, subdivisions, licensing, permitting, or inspection activities shall remain with the towns in which the applicable real property is located unless expressly granted to said corporation in this act or elsewhere;

(v) develop, adopt, amend, implement and enforce by-laws and regulations for the general administration of the NAS South Weymouth Redevelopment Area pursuant to sections 21 through 33 of chapter 40 of the General Laws or as otherwise permitted by law;

(w) issue a maximum of 15 alcoholic beverage licenses within the NAS South Weymouth Redevelopment Area in accordance with chapter 138 of the General Laws and the Reuse Plan and zoning by-laws; provided, however, that said licenses shall not diminish the number of licenses permitted by the commonwealth to be granted by the towns; provided however that the licenses shall be limited as follows: (i) 10 licenses shall be available for issuance to qualified applicants operating sit-down restaurants and associated bar areas and bars located within and as part of hotels, function halls, conference centers, public and private social and recreational clubs, shopping centers and related entertainment venues and cinemas; and (ii) 1 license shall be available for issuance to a qualified applicant operating a clubhouse or like facility associated with a golf course if one is established in the NAS South Weymouth Redevelopment Area; provided further, that none of the remaining 4 alcoholic beverage licenses may be issued by said corporation to any applicant for any of the purposes authorized by this subsection unless said corporation first requests and receives approval of the appropriate licensing board or authority in the applicable town to issue

one or more of said licenses; provided further, that none of the licenses authorized by this section shall be transferable outside the NAS South Weymouth Redevelopment Area; and provided further, that the corporation may issue entertainment licenses and temporary alcoholic beverage licenses as it deems necessary and appropriate;

(x) borrow money at such rate or rates of interest as the corporation may determine; issue its notes, bonds or other obligations to evidence such indebtedness, and secure any of its obligations by pledging any of its taxes, assessments, betterment fees, rents, fees or other revenues or by mortgage or pledge of all or any of its property, or any interest therein, tangible or intangible, whether then owned or thereafter acquired, as provided in this act, and exercise all other rights and powers of cities and towns under chapter 44 of the General Laws; provided, however, that chapter 44 of the General Laws shall not be applicable to the manner of voting or the limitations as to the amount and time of payment or other details of debts incurred by the corporation and, in the event of a conflict between the provisions of this act and chapter 44 of the General Laws, the provisions of this act shall apply;

(y) arrange for guaranties of its notes, bonds or other obligations by the federal government, the commonwealth, the towns or by any private insurer or otherwise, and to pay any premiums therefor;

(z) issue such short and long term notes, bonds or other obligations, whether or not the interest to the holders is exempt from taxation;

(aa) purchase notes, bonds or other obligations of the corporation at such price or prices, in such manner, and upon such terms, as the corporation may determine;

(bb) invest and reinvest its funds in such investments as may be lawful for fiduciaries in the commonwealth, and take and hold property as security for the payment of funds so invested, as provided in section 55 of chapter 44 of the General Laws;

(cc) procure insurance against any loss in connection with its property or the project in such amounts and from such insurers, including the federal government, and directors and officers liability insurance, as it may deem necessary or desirable, and to pay any premiums therefor;

(dd) enter into and perform contracts, project labor agreements, and other agreements, whether or not they may be deemed to constitute indebtedness under applicable law, for the joint or separate planning, financing, construction, purchase, operation, maintenance, use, sharing costs of, ownership, mortgaging, leasing, sale, disposal of, or other participation in facilities, products or services of any person who engages in business on property owned or controlled by the corporation;

(ee) maintain a principal office within the NAS South Weymouth Redevelopment Area;

(ff) make any inquiry, investigation, survey, feasibility study or other study which the corporation may deem necessary or advisable to enable it to carry out effectively this act;

(gg) apply to the appropriate agencies and officials of the federal government and the commonwealth for licenses, permits or approvals, as are ordinarily applied for by cities and towns, of its plans or the project as it may deem necessary or advisable, and to accept such licenses, permits or approvals as may be tendered to it by such agencies or officials, upon such terms and conditions as it may deem appropriate;

(hh) make by-laws and establish committees for the management and regulation of its affairs as it may deem necessary or advisable and, subject to agreement with bondholders, make rules pursuant to its own procedures for the use of the project and its property, and establish and collect assessments, rentals, fees and all other charges for the use of the project under the jurisdiction of the corporation and for services or commodities sold, furnished or supplied by the corporation;

(ii) design, construct, maintain, operate, improve and reconstruct the project as shall be consistent with the purposes and provisions of the approved Reuse Plan and zoning by-laws, including without limitation the maintenance and development of all infrastructure improvements necessary or convenient in connection with the project, and to contract for the environmental remediation, construction, operation or maintenance of any parts thereof, or for services to be performed thereon, and rent parts thereof and grant concessions thereon, on such terms and conditions as the corporation may determine, in accordance with the Reuse Plan and zoning by-laws; provided, however, that any such transaction shall be exempt from the public bidding and procurement requirements applicable to bodies politic and corporate of the commonwealth imposed by general or special law, including without limitation, the requirements of chapters 7, 30 and chapter 149 of the General Laws, but excluding sections 28 and 29 of said chapter 149, and regulations promulgated thereunder so long as the corporation has, pursuant to an affirmative vote and by stating the public convenience and necessity therefor, exempted any such transaction from such requirement;

(jj) designate the depositories of its money within the commonwealth;

(kk) establish its fiscal year to commence on July 1 and end on June 30 of each year and change the fiscal year from time to time as the corporation may deem necessary and appropriate;

(ll) take such other actions and exercise such other powers as it may deem necessary, advisable and convenient in the furtherance of the purposes of this act;

(mm) apply for and be eligible for any and all available financial and other assistance, consistent with the Reuse Plan, without further approval of any agency of the commonwealth pursuant to chapters 40R and 40S of the General Laws and similar statutes of the General Laws as a town would be so eligible pursuant to said chapters; provided, however, that the NAS South Weymouth Redevelopment Area shall be deemed to be an approved smart growth zoning district under said chapter 40R, entitling the corporation to all funds available under said chapters 40R and 40S in connection therewith, including without limitation density bonus payments and zoning incentive payments; and provided further, that the designation of the NAS South Weymouth Redevelopment Area as a smart growth zoning district shall have no effect on the ability of the towns to otherwise obtain approvals for other land under said chapter 40R;

(nn) establish, construct, maintain, regulate, discontinue and otherwise own, manage and operate any street, public way or public use of a private way within the NAS South Weymouth Redevelopment Area, including any sewers, drains, sidewalks and other utilities and infrastructure located in any streets and ways;

(oo) assume responsibility for maintaining, monitoring and conducting other activities imposed by any condition of any license, permit or approval, or by any institutional control arising under any environmental law or regulation with respect to the project; and

(pp) provide, directly or indirectly, for the public educational needs of all kindergarten, primary and secondary school-age children within the NAS South Weymouth Redevelopment Area whereby all such children shall be deemed to be residents of the town of Weymouth for such purposes; provided, however, that in providing these public educational services to these children on behalf of the corporation, the town of Weymouth shall not be deemed to have accepted or adopted any school choice program under chapter 76 of the General Laws.

Section 7. The corporation shall not be obligated to maintain, operate, improve or provide services, including police and fire protection, for those portions of the NAS South Weymouth which remain in federal ownership, nor shall the corporation bear any responsibility or be liable for any injury, damage or loss arising out of or in connection with any activities which may occur on such federal property, nor as a result of any improvements, damage, deterioration or environmental hazards occurring thereon. The corporation may enter into agreements with the federal government to provide any services to areas of the NAS South Weymouth Redevelopment Area remaining in federal ownership which the corporation may provide elsewhere in the NAS South Weymouth Redevelopment Area.

Section 8. (a) In addition to any other duties set forth in this act, the corporation shall coordinate with, and provide information to, the United States and any officials or employees thereof, regarding any matter relating to the ownership, condition, closure, conversion, redevelopment or future use or operations of the NAS South Weymouth Redevelopment Area as required by the Defense Base Realignment and Closure Act. Notwithstanding any other provision of law, the corporation shall be the only person or entity in the commonwealth authorized to negotiate, purchase or otherwise obtain on behalf of itself, the commonwealth or any of its political subdivisions, any fee ownership, easement, lease, license or other interest in any property in or on the NAS South Weymouth Redevelopment Area from the United States, except that a governmental entity of the commonwealth may acquire an interest from the corporation to such property, if such acquisition and use of the property by a governmental entity of the commonwealth is consistent with the Reuse Plan and zoning by-laws. Prior to the disestablishment of the Naval air station planning committee as specified in subsection (e) of section 14, such committee may request, on behalf of the corporation, that the government land bank act as its agent to conduct implementation negotiations with the United States government until the corporation is fully staffed with the capacity to pursue such negotiations for itself. The corporation may request continuing assistance of the government land bank in pursuing such negotiations with the United States government.

(b) The corporation shall be obligated to: (i) assume and perform the government land bank's obligations with respect to the less than fair market interim master lease between the United States of America and Government Land Bank d/b/a Massachusetts Development Finance Agency for the Naval Air Station South Weymouth, which the Naval air station planning committee requested the government land bank enter into on its behalf; (ii) assume and perform the government land bank's obligations with respect to any subleases which the government land bank enters into pursuant to the less than fair market interim master lease at the Naval air station planning committee's request; and (iii) assume any and all obligations, including, without limitation, any letters of intent to lease or sell real estate, entered into by the Naval air station planning committee, or the government land bank at the committee's request with respect to the NAS South Weymouth Redevelopment Area.

Section 9. (a) The powers and management of the corporation, which include all rights and powers of a town council or board of selectmen or mayor of a city or town, shall be vested in a board of 5 directors to be appointed as follows:

(i) 1 member appointed by the board of selectmen of the town of Abington;

(ii) 2 members appointed by the board of selectmen of the town of Rockland; and

(iii) 2 members appointed by the mayor of the town of Weymouth.

The board shall appoint a chairman from among its members who shall serve in that capacity at the pleasure of the board.

(b) Directors shall serve for terms of 5 years; provided, however, that of those initially appointed, 1 by the town of Weymouth shall be appointed for a term of 3 years, 1 by the town of Rockland and 1 by the town of Weymouth shall be appointed for terms of 4 years, and 1 by the town of Abington and 1 by the town of Rockland shall be appointed for terms of 5 years. All directors shall be eligible for reappointment at the expiration of their terms and may be removed for good cause by their respective appointing authority. Vacancies shall be filled by the board of selectmen or mayor, as applicable, of the town that appointed the director.

(c) All directors of the corporation shall have demonstrated expertise or education and experience in 1 or more of the following areas: real estate development, housing, finance, business, environment, planning, engineering, transportation or municipal government. The towns shall cooperate to assure the appointment of directors from as many of the foregoing disciplines as possible.

(d) Four members of the board shall constitute a quorum. A minimum of 3 affirmative votes of the quorum shall be required for any action of the board.

(e) Directors may receive compensation as determined from time to time by the advisory board established by section 11. Directors shall receive reimbursement of such incidental expenses determined by the board to be necessary; provided, however, that the annual compensation of the directors shall not exceed \$6,250 or 80 per cent of the total combined average of the annual salaries of the town councilors of the town of Weymouth, whichever is higher.

(f) Directors shall be residents of the commonwealth. No director shall be a local elected public official of the town of Abington, Rockland or Weymouth, except that residents of the towns of Abington and Rockland who participate in their respective town meetings shall not be restricted from service as a director of the corporation.

(g) Public employees or appointed officials of the federal government and the commonwealth and its political subdivisions may serve as directors of the corporation so long as their service as director does not constitute a conflict of interest with their duties as public employees or appointed officials.

(h) Directors shall be subject to chapter 268A of the General Laws.

(i) The directors may, from time to time, by majority vote designate employees of the corporation, consultants and other individuals to participate on boards, commissions, committees and other organizations established by the corporation or otherwise related to the project as a representative of the directors.

(j) The directors may, from time to time, by majority vote, authorize a person, other than a majority of the board, to issue endorsements, certificates and other ministerial documents in furtherance of actions taken by the board.

(k) The officers and directors of the corporation shall have the full protections afforded by section 13 of chapter 258 of the General Laws to the same extent as municipal officers in a city or town which has accepted said section 13 of said chapter 258.

Section 10. If a director, or member of his immediate family shall be interested either directly or indirectly, or shall be a director, officer or employee of or have an ownership interest in a firm or corporation interested directly or indirectly, in a contract or other matter involving the corporation, such interest shall be disclosed to the board and shall be set forth in the minutes of the board. The member having such interest shall not participate on behalf of the corporation in any proceeding or decision relating to such contract or matter. For the purpose of this section, immediate family shall include spouse, parent, parent-in-law, brother, brother-in-law, sister, sister-in-law, son, son-in-law, daughter, daughter-in-law and the parent or child of any of such individuals.

Section 11. (a) There shall be an advisory board to the corporation consisting of: (i) 1 voting representative appointed by the town of Abington and 1 voting representative appointed by the town of Hingham; (ii) 2 voting representatives appointed by the town of Rockland and 2 voting representatives appointed by the town of Weymouth; (iii) 1 voting representative of the metropolitan area planning council who shall be a member of and be designated by the board of the council and who shall reside in Norfolk county; (iv) 1 voting representative of the Old Colony planning council who shall be a member of and be designated by the board of the

council and who shall reside in Plymouth county; and (v) 3 voting representatives to be appointed by the governor, 1 of whom shall have skill and expertise in matters relating to environmental protection, 1 of whom shall have skill and expertise in matters relating to real estate development and 1 of whom shall be a member of the board of the South Shore chamber of commerce. The members of the advisory board representing a town shall be appointed by, and serve at the pleasure of, the mayor of the town of Weymouth or board of selectmen of each such other town. The members of the advisory board appointed by the metropolitan area planning council and the Old Colony planning council shall serve at the pleasure of the councils. The members of the advisory board appointed by the governor shall serve at the pleasure of the governor.

(b) The total voting membership of the advisory board shall be 11 votes, equally weighted. The advisory board may act at regular periodic meetings called in accordance with its by-laws or at a special meeting called by the corporation or by 6 or more members of the advisory board. A quorum of the advisory board shall consist of 6 representatives. The advisory board may act by the affirmative vote of a majority of the representatives present that constitute a quorum.

(c) For the conduct of its business the advisory board shall adopt and may revise and amend its own by-laws. The advisory board shall annually elect from among its members a chairperson, a vice chairperson and a secretary and such other officers as the advisory board may determine. Each such officer shall serve in such capacity at the pleasure of the advisory board and may be removed from such position by majority vote of the advisory board. In the event of a vacancy, the appointing authority shall fill the vacancy for the unexpired term. Each member of the advisory board shall serve without compensation but may be reimbursed for all reasonable expenses incurred in the performance of his or her duties as approved by the advisory board and the corporation.

(d) The purposes of the advisory board shall be as follows:

(i) to review the annual report of the corporation and to prepare comments thereon for the benefit of the corporation, the governor and the towns, and to make such examinations of the reports on the corporation's records and affairs as the advisory board deems appropriate;

(ii) to hold regular meetings twice annually with the board of directors of the corporation and, at the discretion of the advisory board and with the concurrence of the board of directors of the corporation, special meetings with the board of directors of the corporation as it deems necessary and appropriate on matters relating to the corporation, and to hold meetings at other times as the advisory board may determine;

(iii) to make recommendations to the corporation on its annual budget;

(iv) to make recommendations to the governor, the general court and the towns regarding the corporation and its programs; and

(v) to determine, from time to time, compensation for directors of the board.

(e) The corporation shall provide such reasonable administrative and staff support to the advisory board as may be necessary for the efficient discharge of the advisory board's responsibilities pursuant to this act.

Section 12. The board may from time to time appoint an executive director, who shall devote his full time during business hours to the duties of his office, who shall receive compensation as the board may determine, and who shall serve at the pleasure of the board; a chief financial officer, who shall be the chief financial and accounting officer of the corporation and shall be in charge of its funds, books of accounts and accounting records; and such other officers and employees as are necessary to the orderly functioning of the corporation. The executive director shall be well qualified to serve in this capacity and shall have, at a minimum, professional education in public administration or a related academic discipline and at least 10 years of demonstrated experience in positions of comparable responsibilities. The chief financial officer shall, at a minimum, have both education and at least 10 years of demonstrated experience in the field of finance. Officers and employees of the corporation shall not be subject to the provisions of chapter 30 of the General Laws or section 9A, 45, 46, 51 or 52 of chapter 31 of the General Laws. Officers and employees of the corporation shall be subject to the provisions of chapter 268A of the General Laws. Compensation for employees of the corporation, including the executive director and chief financial officer, shall be set by the board.

Section 13. The corporation may hire, fix and pay compensation, prescribe duties and qualifications and establish personnel policies without regard to any personnel or civil service law or personnel or civil service rule of the commonwealth. The employees of the corporation shall not be classified employees of the commonwealth. An individual employed by the corporation shall be deemed an employee at will and shall serve at the pleasure of the corporation.

Section 14. (a) The Reuse Plan prepared by the Naval air station planning committee and approved by majority vote of the towns of Abington, Rockland and Weymouth, and the zoning by-laws approved by a two-thirds vote of the towns of Abington, Rockland and Weymouth, shall govern the corporation's redevelopment of the NAS South Weymouth Redevelopment Area. The

zoning by-laws shall be effective on the date that the last of the 3 towns gives its approval of the same; provided, however, that neither the towns nor the corporation may initiate or undertake any redevelopment activity within the NAS South Weymouth Redevelopment Area, unless and until the 3 towns approve the zoning by-laws in accordance with this section. Once effective, such zoning by-laws shall supersede the existing zoning by-laws of the towns except to the extent the existing zoning by-laws are incorporated in the zoning by-laws. Adoption of the Reuse Plan and newly adopted zoning by-laws by the towns shall constitute final acceptance of the same for the purposes of this act.

(b) A revision to the Reuse Plan or zoning by-laws considered to be substantial as that term is defined in the Reuse Plan and zoning by-laws shall not be effective until the towns, following public hearings, approve the revision. Notwithstanding the foregoing, revisions to the zoning by-laws which merely change the boundaries of zoning districts but do not alter or amend the Reuse Plan shall not be considered substantial if the board determines that such boundary revisions are warranted by: (i) the department of highway's determination of the location of "East-West Parkway" at NAS South Weymouth; or (ii) requests from the Natural Heritage and Endangered Species Program for minor relocations of the proposed golf course at NAS South Weymouth. Within 90 days of receipt of a proposed substantial revision to the Reuse Plan or zoning by-laws, the mayor of the town of Weymouth shall convene a meeting of the town council of the town of Weymouth and the boards of selectmen of each of the towns of Abington and Rockland shall convene a town meeting for such towns for the purpose of adopting by majority vote of such town council and each town meeting the substantial revision to the Reuse Plan, or adopting by two-thirds vote of the town council and each town meeting the substantial revision to the by-laws, as the case may be. Each town shall vote to adopt or disapprove the substantial revision to the Reuse Plan or zoning by-laws as submitted. No amendments to the proposed substantial revision to the Reuse Plan or zoning by-laws shall be made by the towns. Each town shall, within 30 days of adoption or rejection of a proposed substantial revision to the Reuse Plan or zoning by-laws at either a town council meeting or a town meeting, provide the secretary with a written notification stating whether the town council or town meeting adopted or rejected the proposed substantial revision to the Reuse Plan or zoning by-laws. Until such time as all 3 towns have adopted the proposed substantial revision to the Reuse Plan or zoning by-laws, the change to the Reuse Plan or zoning by-laws shall have no force or effect. Revisions to the Reuse Plan or zoning by-laws not considered substantial pursuant to the guidelines set forth in the Reuse Plan or zoning by-laws shall be effective upon approval thereof by the corporation. Prior to approving any revision not considered substantial, the corporation shall formally notify and consult with the towns and the advisory board, publish a notice of public hearing in a newspaper of general circulation within the NAS South Weymouth Region, hold at least 1 public hearing in the NAS South Weymouth Redevelopment Area or in any one of the towns, and afford the opportunity for public comment at which the proposed revision to the Reuse Plan or zoning by-laws not considered substantial shall be considered and voted upon. Such regulations may provide for expedited permitting under which the time frames for actions, including a failure to take action, applicable to municipalities and their boards, commissions and agencies under the provisions of the General Laws may be shortened. Nothing in this section shall require the corporation to be governed by the requirements of chapter 30A of the General Laws.

(c) The procedures set forth in this section for the adoption of the Reuse Plan and zoning by-laws, whether such adoption occurs prior to or subsequent to the effective date of this act, and for adopting revisions to the Reuse Plan and zoning by-laws shall be exclusive notwithstanding any general or special law to the contrary.

(d) Regulations for the effective implementation and enforcement of the Reuse Plan and zoning by-laws and revisions thereof shall be developed and adopted by the corporation, pursuant to section 6. No regulation shall be adopted by the corporation without first publishing notice of same in a newspaper of general circulation within the NAS South Weymouth Region, holding at least one public hearing in the NAS South Weymouth Redevelopment Area or in any one of the towns, and affording the opportunity for public comment. Nothing in this section shall require the corporation to be governed by the requirements of chapter 30A of the General Laws.

(e) Except where the General Laws establish jurisdiction of another court or agency to act on appeal from such determination or approval when otherwise made by a municipal board, commission or official, a person aggrieved by a determination or approval of the corporation, whether or not previously a party to the proceeding, may appeal to the superior court or land court by bringing an action within 20 days after the corporation has filed its decision in each of the 3 towns' clerk's offices. The 20 day period shall commence only after all such filings have been completed. The court shall hear all pertinent evidence and shall annul the determination of the corporation if it finds that the determination is unsupported by substantial evidence or exceeds the authority of the corporation, or it may remand the

case for further action by the corporation or may make such other decree as is just and equitable.

(f) The Naval air station planning committee shall be disestablished on the 120th day following the effective date of enactment of this act or upon the appointment of the 5 members of the board of the corporation, whichever occurs first.

Section 15. The corporation shall prepare a taxation plan, consistent with the Reuse Plan and zoning by-laws approved by the towns, for the corporation's assessment of property taxes and other taxes over which the department of revenue has regulatory oversight for municipalities under the General Laws. The taxation plan shall provide for the imposition and levy of such taxes that may be adjusted from time to time by the corporation, upon persons, residents and estates lying within the NAS South Weymouth Redevelopment Area including both the central redevelopment area and the perimeter area consistent with the General Laws that are applicable to municipalities. Upon approval of the taxation plan by the secretary and the commissioner, the corporation shall exercise all the powers granted pursuant to this act and to municipalities in the commonwealth to enable the collection of such taxes and other charges. In connection with the foregoing, the corporation shall have all the powers and authority of cities and towns under chapters 40, 59, 60, 60A, 61B and section 3A of chapter 64G of the General Laws, and may accept a local option under a general or special law related to the assessment, exemption or enforcement of property taxes and excises that cities and towns may accept. The towns shall not be entitled to assess a fees or taxes on property, persons or businesses located in the NAS South Weymouth Redevelopment Area unless a town has, by agreement with the corporation, undertaken to issue specific licenses and permits to persons, businesses or other entities within the NAS South Weymouth Redevelopment Area. In such cases, the town issuing the licenses or permits may assess and collect a reasonable fee for the issuance of such licenses and permits from the licensees or permittees. The towns shall not be required to incur any costs or expenses related to the provision of municipal services within the NAS South Weymouth Redevelopment Area or to provide municipal services therein except pursuant to written agreement for the provision of the same between the corporation and one or more of the towns. Each town shall be responsible for furnishing or funding the cost of municipal services furnished to any land within the NAS South Weymouth Redevelopment Area owned or leased by the towns.

Section 16. The executive office for administration and finance and the executive offices of housing and economic development and of labor and workforce development shall identify a senior staff member who shall assist the corporation with establishing a method for coordinating 1-stop licensing for all businesses and developments to be located within the NAS South Weymouth Redevelopment Area for the purpose of expediting the process for obtaining commonwealth licenses, permits, certificates, approvals, registrations, charters and meeting any other requirements of law. The corporation shall assist prospective developers by centrally coordinating the submission of licensing and permitting requests to the permitting agencies.

Section 17. Each public agency in the commonwealth involved in the development or financing of economic development projects shall develop a coordinated 1-stop program for businesses, institutions and private parties that may intend to locate in the NAS South Weymouth Redevelopment Area in order to enable development activities within the NAS South Weymouth Redevelopment Area to be more effectively promoted by the commonwealth.

Section 18. (a) The corporation may fix, revise, charge, collect, levy and abate betterments, assessments, special assessments and fees, and other charges for the cost, administration and operation of the infrastructure improvements. In providing for the payment of the cost of the infrastructure improvements or for the use of the infrastructure improvements, the corporation may avail itself of the General Laws relative to the assessment, apportionment, division, fixing, reassessment, revision, abatement and collection of infrastructure charges, including betterments, assessments, special assessments and fees by municipalities, or the establishment of liens therefor and interest thereon, and the procedures set forth in sections 5 and 6 of chapter 254 of the General Laws for the foreclosure of liens, as it shall deem necessary and appropriate for purposes of the assessment and collection of such infrastructure improvement charges. Notwithstanding any general or special law to the contrary, the corporation may pay the entire cost of any infrastructure improvements, including the acquisition thereof, during construction or after completion, or the debt service of notes or bonds used to fund such costs, from betterments, assessments, special assessments, fees, or other charges, and may establish the betterments, assessments, special assessments, fees or other charges, prior to, during or within 1 year after completion of construction or acquisition of any infrastructure improvements. The corporation may establish a schedule for the payment of betterments, assessments, special assessments, fees or other charges, not to exceed 35 years. The corporation may determine the circumstances under which the betterments, assessments, special assessments, fees and other charges, may be increased, if at all, as a consequence of

delinquency or default by the owner of that parcel or any other parcel within the NAS South Weymouth Redevelopment Area.

(b) The betterments, assessments, special assessments, fees and other charges of general application authorized by this act may be increased in accordance with the procedures to be established by the corporation for assuring that interested persons are afforded notice and an opportunity to present data, views and arguments. The initial schedule of assessments, special assessments, fees and other charges, may be adopted by the corporation at any scheduled meeting of the board, provided that notice of the meeting, and the proposed schedule, is sent to each owner of a parcel within the NAS South Weymouth Redevelopment Area, by registered or certified mail at least 7 days prior to the meeting. Thereafter, the corporation shall hold at least 1 public hearing on a revision to its schedule of betterments, assessments, special assessments, fees and other charges thereof prior to adoption by the corporation, notice of which revisions shall be delivered to the towns and shall be published in a newspaper of general circulation in each of the towns at least 1 month in advance of the hearing. No later than the date of such publications, the corporation shall make available to the public and deliver to the towns the proposed revisions to the schedule of special assessments, fees, betterments, assessments and other charges. The betterments, assessments, special assessments, fees and other charges established by the corporation shall not be subject to supervision or regulation by any department, division, commission, board, bureau or agency of the commonwealth or its political subdivisions, including without limitation, the towns, except for the approval of the taxation plan and any amendments thereof requiring approval by the secretary and commissioner.

(c) The betterments, assessments, special assessments, fees and other charges established by the corporation in accordance with this act shall be fixed and adjusted in respect of the aggregate thereof so as to provide revenues at least sufficient: (i) to pay the principal of, premium, if any, and interest on bonds, notes or other evidences of indebtedness issued by the corporation under this act as the same become due and payable; (ii) to create and maintain such reasonable reserves as may be reasonably required by a trust agreement or resolution securing bonds or notes; (iii) to provide funds for paying the cost of necessary repairs, replacements and renewals of the infrastructure improvements; and (iv) to pay or provide for an amount that the corporation may be obligated to pay or provide for by law or contract, including a resolution or contract with or for the benefit of the holders of its bonds and notes, provided that the corporation shall not be required to increase any mandatory betterments, assessments, special assessments, fees or other charges by virtue of an individual proprietor delinquencies.

(d) As an alternative to levying betterments, assessments, special assessments, fees and other charges under this act or the General Laws, the corporation may levy special assessments on real estate within the NAS South Weymouth Redevelopment Area to finance the cost, administration and operation of the infrastructure improvements. In determining the basis for and amount of the special assessment, the cost, administration, maintenance and operation of the infrastructure improvements, including the cost of the repayment of the debt issued or to be issued by the corporation to finance the improvements, may be calculated and levied using any of the following methods that result in fairly allocating the costs of the infrastructure improvements to the real estate in the NAS South Weymouth Redevelopment Area:

(1) equally per length of frontage, or by lot, parcel or dwelling unit, or by the square footage of a lot, parcel or dwelling unit;

(2) according to the value of the property as determined by the corporation; or

(3) in any other reasonable manner that results in fairly allocating the cost, administration and operation of the infrastructure improvements, according to the benefit conferred or use received including, but not limited to, by classification of commercial or residential use or distance from the infrastructure improvements.

(e) The corporation may also provide for the following:

(1) a maximum amount to be assessed with respect to any parcel;

(2) a tax year or other date after which no further special assessments under this section shall be levied or collected on a parcel;

(3) annual collection of the levy without subsequent approval of the corporation;

(4) the circumstances under which the special assessment levied against a parcel may be increased, if at all, as a consequence of delinquency or default by the owner of that parcel or any other parcel within the NAS South Weymouth Redevelopment Area; and

(5) procedures allowing for the prepayment of betterments, assessments, special assessments, fees and other charges under this act.

(f) Betterments, assessments, special assessments, fees and other charges levied under this act shall be collected and secured in the same manner as property taxes, betterments, assessments and fees owed to the towns unless otherwise provided by the corporation and shall be subject to the same penalties and the same procedure, sale and lien priority in case of delinquency as is provided for such property taxes, betterments and liens owed to the towns.

(g) The appellate tax board shall have jurisdiction within the NAS South Weymouth Redevelopment Area pursuant to chapter 58A of the General Laws to the same extent as its jurisdiction in cities and towns.

Section 19. (a) Excess revenues of the corporation, as that term is defined in the Reuse Plan and zoning by-laws, shall be distributed by the board annually within 120 days following the end of the corporation's fiscal year to the towns of Abington, Rockland and Weymouth in the following percentages: 12 per cent to Abington; 42 per cent to Rockland and 46 per cent to Weymouth. These percentages are based upon the ratio of the land area of each town located within the boundaries of the NAS South Weymouth Redevelopment Area to the total acreage of the NAS South Weymouth Redevelopment Area.

(b) The sharing of tax and non-tax revenues generated in the NAS South Weymouth Redevelopment Area shall continue based on the formula in subsection (a) in perpetuity following termination of the corporation in accordance with 33.

Section 20. (a) The corporation may provide by resolution of the board for the issuance of bonds and notes of the corporation for the purposes of paying all or any part of the cost of the project and its infrastructure improvements. Such cost shall including the cost of: (1) construction, reconstruction, renovation and acquisition of all lands, structures, real or personal property, rights, rights-of-way, franchises, easements and interests acquired or to be acquired by the corporation, the towns, the commonwealth or any other political subdivision thereof; (2) all machinery and equipment including machinery and equipment needed to expand or enhance services from the towns, the commonwealth or a political subdivision thereof to the corporation; (3) financing charges and interest prior to and during construction, and for a period not exceeding 1 year after completion of the construction, interest and reserves for principal and interest, including costs of municipal bond insurance and any other type of financial guaranty and costs of issuance; (4) extensions, enlargements, additions and enhancements to infrastructure improvements; (5) architectural, engineering, financial and legal services; (6) plans, specifications, studies, surveys and estimates of costs and of revenues; (7) administrative expenses necessary or incident to the construction, acquisition, financing, operation and maintenance of the project; and (8) other expenses as may be necessary or incident to the construction, acquisition, operation, maintenance and financing of the infrastructure improvements, including the cost of issuing bonds or notes. The corporation may issue up to \$110,000,000 of its bonds which are secured by ad valorem property taxes to be collected by the corporation. The corporation may issue bonds which are secured by such other revenues and security as the board may determine, which shall not be subject to the \$110,000,000 limitation. The corporation may issue bonds pursuant to chapter 40Q of the General Laws without the approval of any of the towns, which shall be subject to the \$110,000,000 limitation. A bond issued pursuant to said chapter 40Q shall not be subject to the adjustment for the "inflation factor" described in said chapter 40Q. The corporation may issue revenue bonds secured in whole or in part by betterments, assessments, special assessments, fees and other charges, notes, debentures, long term capital leases, grants and governmental assistance and long-term contracts, which shall not be subject to any maximum dollar amount. The principal of and interest on such bonds shall be payable solely from the funds which are identified by the corporation and are permitted by this act to provide for such payment. The bonds of each issue shall be dated, shall bear interest at such rates, which may be variable or fixed, and shall mature at times not exceeding 35 years from their dates of initial issuance, as the corporation may determine, and may be made redeemable before maturity, at the option of the corporation, at such prices and under such terms and conditions as the corporation may fix prior to the issuance of the bonds. The corporation shall determine the form of the bonds and the manner of execution of the bonds, and shall fix the denominations of the bonds and the places of payment of principal and interest, which may be at a bank or trust company within or without the commonwealth and such other locations as designated by the corporation. In the event an officer whose signature or a facsimile of whose signature shall appear on any bonds shall cease to be an officer before the delivery of the bonds, the signature or facsimile shall nevertheless be valid and sufficient for all purposes as if such officer had remained in office until the delivery. The bonds shall be issued in registered form. The corporation may sell the bonds in a manner and for a price, either at public or private sale, as it may determine to be for the best interests of the corporation.

(b) Prior to the preparation of definitive bonds, the corporation may, under like restrictions, issue interim receipts or temporary notes, with or without coupons, exchangeable for definitive bonds when such bonds have been executed and are available for delivery. The corporation may also provide for the replacement of bonds that shall become mutilated or shall be destroyed or lost. The corporation may issue, from time to time, notes of the corporation in anticipation of federal, state or local grants for the cost of the project and acquiring, constructing or improving the infrastructure improvements. The notes shall be authorized, issued and sold in the same manner as provided in,

and shall otherwise be subject, this act. Such notes shall mature at such times as provided by the issuing resolution of the corporation and may be renewed from time to time; provided, however, that all such notes and renewals thereof shall mature on or before 20 years from their date of issuance. Bonds and notes may be issued under this act subject only to those proceedings, conditions or things that are specifically required by this act.

(c) The corporation may provide by resolution for issuance of refunding bonds of the corporation for the purpose of refunding bonds then outstanding at maturity or upon acceleration or redemption. Refunding bonds may be issued at such times prior to the maturity or redemption of the refunded bonds as the corporation deems to be in the public interest. Refunding bonds may be issued in sufficient amounts to pay or provide for the principal of the bonds being refunded under this act, and the payment of a redemption premium thereon and interest accrued or to accrue to the date of redemption of such bonds, and, if deemed advisable by the corporation, for the additional purpose of paying any cost of the project, including the acquisition, constructing or reconstructing the infrastructure improvements. The issuance of such bonds, the maturities and other details thereof, the rights of the holders thereof, and the duties of the corporation in respect to the same shall be governed by this act insofar as the same may be applicable.

(d) While bonds issued by the corporation remain outstanding, the powers, duties or existence of the corporation shall not be diminished or impaired in any way that will adversely affect the interests and rights of the holders of such bonds.

(e) The board may by resolution delegate to a person, other than a majority of the board, the power to determine any of the matters set forth in this section.

(f) Bonds and notes issued under this section, unless otherwise authorized by law, shall not be deemed to constitute a debt of the commonwealth or of the towns, or a pledge of the faith and credit of the commonwealth or of the towns, but such bonds shall be payable solely from the funds of the corporation or as otherwise provided in this act. Unless the towns or the commonwealth subsequently agree to pay the bonds or notes of the corporation, such bonds and notes shall contain on their faces a statement to the effect that neither the commonwealth nor the towns shall be obliged to pay the same or the interest thereon and that neither the faith and credit nor taxing power of the commonwealth or the towns is pledged to the payment of the principal of or the interest on such bonds or notes.

(g) All bonds or notes issued under this act shall have all the qualities and incidents of negotiable instruments as defined in section 3-104 of chapter 106 of the General Laws.

(h) Prior to the issuance of bonds with a maturity date later than the date the corporation is required to be terminated pursuant to section 33, the mayor of the town of Weymouth and boards of selectmen of the towns of Abington and Rockland, in consultation with the corporation, shall enter into an intermunicipal debt service agreement acceptable to the corporation, which shall provide for the continued payment of principal and interest on such bonds and the maintenance of all required reserves and any other obligations as may be set forth in the applicable bond instruments from ad valorem property taxes, betterments, assessments, special assessments, fees, other charges and other revenues generated in the NAS South Weymouth Redevelopment Area and the corporation and the towns may enter into and perform their respective obligations under such debt service agreement; provided, however, that such agreement shall not extend the duration of the corporation past the date on which it is to be terminated pursuant to section 33.

Section 21. (a) In the discretion of the corporation, bonds, refunding bonds or notes may be secured by a trust agreement by and between the corporation and a corporate trustee, which may be a trust company or bank having the powers of a trust company within or without the commonwealth. Such trust agreement may pledge or assign the revenues to be received, but shall not convey or mortgage the project or a part thereof.

(b) Either the resolution providing for the issuance of bonds or notes or the trust agreement may contain provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including, without limiting the generality of the foregoing, provisions defining defaults and providing for remedies in the event thereof, which may include the acceleration of maturities and covenants setting forth the duties of, and limitations on, the corporation in relation to the acquisition, construction, improvement, enlargement, alteration, equipping, furnishing, maintenance, operation, repair, insurance and disposition of property, custody, safeguarding, investment, application of moneys, use of any surplus bond or note proceeds and establishment of reserves. Such resolution or trust agreement may contain, but shall not be limited to, covenants by the corporation in relation to the following: (i) the establishment, revision and collection of such taxes, betterments, assessments, special assessments, fees and other charges for services or facilities furnished or supplied by the corporation as shall provide revenues which together with other revenues of the project, if any, are sufficient to pay (1) the cost of maintaining, repairing and operating the project and of making renewals and replacements in connection therewith, (2) the principal

of and the interest on the bonds or notes, as the same shall become due and payable, (3) payments in lieu of taxes, betterments, assessments, special assessments, fees and other charges and (4) reserves for all such purposes; (ii) the purposes for which the proceeds of the sale of the bonds or notes shall be applied and the use and disposition thereof; (iii) the use and disposition of the gross revenues of the corporation from the project, additions thereto and extension and the infrastructure improvements thereof, including the creation and maintenance of funds for working capital and for renewals and replacements to the project; (iv) the amount, if any, of additional bonds or notes payable from the revenues of the project and the limitations, terms and conditions on which such additional bonds or notes may be issued; and (v) the operation, maintenance, management, accounting and auditing of the project and of the income and revenues of the corporation.

(c) It shall be lawful for a bank or trust company within or without the commonwealth to act as depository of the proceeds of bonds or revenues and to furnish such indemnifying bonds or to pledge such securities as may be required by the corporation. Such trust agreement may set forth the rights and remedies of the bondholders and of the trustee and may restrict the individual right of action by bondholders as is customary in trust agreements or trust indentures securing bonds and debentures of corporations. Such trust agreement may contain other provisions as the corporation may deem reasonable and proper for the security of the bondholders. All expenses incurred in carrying out the provisions of such trust agreement may be treated as a part of the cost of the operation of the project. The pledge by any such trust agreement or resolution shall be valid and binding from the time when the pledge is made. The revenues or other moneys so pledged and then held or thereafter received by the corporation shall immediately be subject to the lien of such pledge without a physical delivery thereof or further act. The lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the corporation, irrespective of whether such parties have notice thereof. The financing document by which any pledge is created by the corporation shall not be required to be filed or recorded to perfect such pledge except in the official records of the corporation and no Uniform Commercial Code filing shall be required to be made. A pledge or assignment made by the corporation is an exercise of its political and governmental powers, and revenues, funds, assets, property and contract or other rights to receive the same and the proceeds thereof which are subject to the lien of a pledge or assignment created under this act shall not be applied to purposes not permitted by the pledge or assignment.

(d) In addition to other security provided herein or otherwise by law, bonds, notes or obligations issued by the corporation under this act may be secured, in whole or in part, by a letter of credit, line of credit, bond insurance policy, liquidity facility or other credit facility for the purpose of providing funds for payments in respect of bonds, notes or other obligations required by the holder thereof to be redeemed or repurchased prior to maturity or for providing additional security for such bonds, notes or other obligations. In connection therewith, the corporation may enter into reimbursement agreements, remarketing agreements, standby bond purchase agreements and any other necessary or appropriate agreements. The corporation may pledge or assign the corporation's revenues as security for the reimbursement by the corporation to the providers of such letters of credit, lines of credit, bond insurance policies, liquidity facilities or other credit facilities of any payments made under the letters of credit, lines of credit, bond insurance policies, liquidity facilities or other credit facilities.

(e) In connection with, or incidental to, the issuance of bonds, notes or other obligations, the corporation may enter into such contracts as it may determine to be necessary or appropriate to place the bonds, notes or other obligations of the corporation, as represented by the bonds or notes, or other obligations in whole or in part, on such interest rate or cash flow basis as the corporation may determine, including without limitation, interest rate swap agreements, insurance agreements, forward payment conversion agreements, futures contracts, contracts providing for payments based on levels of, or changes in, interest rates or market indices, contracts to manage interest rate risk, including without limitation, interest rate floors or caps, options, puts, calls and similar arrangements. Such contracts shall contain such payment, security, default, remedy and other terms and conditions as the corporation may deem appropriate and shall be entered into with such parties as the corporation may select, after giving due consideration, where applicable, for the creditworthiness of the counter parties, including a rating by a nationally-recognized rating agency, the impact on a rating on outstanding bonds, notes or other obligations or other criteria the corporation may deem appropriate.

(f) The corporation shall have the power to purchase its bonds or notes out of any funds available therefor. The corporation may hold, pledge, cancel or resell such bonds or notes, subject to and in accordance with agreements with bondholders.

(g) Any moneys received by the corporation, whether as proceeds from the issuance of bonds or notes, or as revenue or otherwise, may be designated by

the board as trust funds to be held and applied solely as provided in this act.

Section 22. Bonds, refunding bonds and notes issued under this act shall be securities in which all public officers and public bodies of the commonwealth and its political subdivisions, all insurance companies, trust companies and their commercial departments and within the limits set forth in chapter 172 of the General Laws, banking associations, investment companies, executors, trustees and other fiduciaries, and all other persons whatsoever who are now or may hereinafter be authorized to invest in bonds or other obligations of a similar nature may properly and legally invest funds, including capital in their control or belonging to them; and such bonds are shall be obligations that may properly and legally be made eligible for the investment of savings deposits and the income thereof in the manner provided in chapter 168 of the General Laws. Such bonds shall be securities that may properly and legally be deposited with and received by a state or municipal officer or an agency or political subdivision of the commonwealth for a purpose for which the deposit of bonds or other obligations of the commonwealth is now or may hereafter be authorized by law.

Section 23. A holder of bonds or notes issued under this act and a trustee under a trust, except to the extent the rights herein given may be restricted by the trust agreement, may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce all rights under the laws of the commonwealth or granted hereunder or under the trust agreement, and may enforce and compel the performance of all duties required by this act or by the trust agreement, to be performed by the corporation or by an officer thereof.

Section 24. The towns and the commonwealth are pledged to agree with the holders of the bonds or notes that neither the towns nor the commonwealth shall limit or alter or cause to limit or alter the rights hereby vested in the corporation to acquire, construct, reconstruct, improve, maintain, equip and furnish the project or infrastructure improvements, to establish and collect ad valorem property taxes, except as is currently or may be applicable to municipalities, betterments, assessments, special assessments, fees and other charges and to fulfill the terms of an agreements made with the holders of the bonds or notes nor impair the rights and remedies of the bondholders or noteholders, until the bonds or notes, together with interest thereon, with interest on any unpaid installments of interest and all costs and expenses in connection with an action or proceeding by or on behalf of the bondholders or noteholders, are fully met and discharged.

Section 25. (a) The creation of the corporation and the carrying out of its corporate purposes shall be for the benefit of the people of the commonwealth and shall be a public purpose, and the corporation shall be regarded as performing a governmental function in the exercise of the powers conferred upon it by this act and shall be required to pay no taxes or assessments upon any of the property acquired by it or under its jurisdiction, control or supervision or upon its activities.

(b) A bonds issued under this act, including an exchange, sale or transfer of such bonds, and any income derived therefrom, and the property of the agency shall at all times be free from taxation by the commonwealth or any political subdivision or entity thereof.

(c) Bonds or notes may be issued under this act without obtaining the consent of a department, division, commission, board, bureau or agency of the commonwealth or the towns, and without a proceedings or the happening of any other conditions or things other than those proceedings, conditions or things that are specifically required thereof by this act, and the validity of and security for bonds or notes issued by the corporation shall not be affected by the existence or nonexistence of any such consent or other proceeding conditions, or things.

Section 26. The corporation shall be liable in contract and in tort in the same manner as a municipal corporation. The directors, officers, employees and agents of the corporation, including members of the advisory board established pursuant to section 10, shall not be liable as such on their contracts or for torts not committed or directly authorized by them. The property or funds of the corporation shall not be subject to attachment or to levy and sale on execution, but if the corporation refuses to pay a judgment entered against it in a court of competent jurisdiction, the superior court, sitting within and for Norfolk county or Plymouth county, may direct the treasurer of the corporation to pay such judgment. The real estate owned by the corporation shall not be subject to liens under chapter 254 of the General Laws but sections 28 and 29 of chapter 149 of the General Laws shall be applicable to any construction work by the corporation.

Section 27. Notwithstanding any general or special law to the contrary, the corporation shall be deemed to be a public employer for purposes of chapter 258 of the General Laws.

Section 28. (a) The corporation may, if appropriate, make application to the United States Department of Housing and Urban Development or, as necessary, any other federal agency, to designate all or a portion of the NAS South Weymouth Redevelopment Area as an enterprise zone, pursuant to 42 U.S.C. § 11501 et seq., as amended, or an existing or successor statute for

the purpose of creating jobs and encouraging development in the NAS South Weymouth Redevelopment Area.

(b) The NAS South Weymouth Redevelopment Area and the towns of Abington, Rockland and Weymouth are hereby designated economic target areas as defined in section 3D of chapter 23A of the General Laws. Pursuant to such designation, certain development project within the NAS South Weymouth Redevelopment Area and the entirety of the towns of Abington, Rockland and Weymouth shall be eligible for tax deductions, credits and abatements and other economic incentives as provided for in sections 3E to 3G of said chapter 23A. The corporation shall render such certifications as are required by law for the project within the central redevelopment area, including the designation of economic opportunity areas, and each town shall render such certifications within its respective sector of the perimeter area and portions of the towns not included in the NAS South Weymouth Redevelopment Area. The designation of the NAS South Weymouth Redevelopment Area and the towns of Abington, Rockland and Weymouth as economic target areas shall be in addition to the economic target areas that may be established pursuant to paragraph 5 of said section 3E of said chapter 23A.

Section 29. The corporation shall be subject to all laws applicable to municipal redevelopment authorities created under section 4 of chapter 121B of the General Laws.

Section 30. The corporation or its agents may enter into project labor agreements covering construction performed on and during redevelopment of the NAS South Weymouth Redevelopment Area pursuant to paragraphs (t) and (ee) of section 6 of this act.

Section 31. The corporation shall keep an accurate account of its activities including its receipts and expenditures. The corporation shall prepare annual reports of its activities in the NAS South Weymouth Redevelopment Area during the preceding fiscal year and submit such reports to the governor, secretary, general court, advisory board, mayor of the town of Weymouth, the town manager of the town of Abington, the town administrator of the town of Rockland, the town council of the town of Weymouth, the boards of selectmen of the towns of Abington and Rockland and the town clerk of each of those towns. Each report shall set forth a complete operating and financial statement covering the corporation's operations in the NAS South Weymouth Redevelopment Area during the previous year. The corporation shall cause an audit of its books and accounts relating to the NAS South Weymouth Redevelopment Area to be made at least once in each fiscal year by certified public accountants. The audit shall be filed with the state auditor annually not later than 120 days after the end of the corporation's fiscal year and shall be in a form prescribed by the state auditor. The state auditor shall audit the corporation's books and accounts at least once every 2 fiscal years. The state auditor may investigate the budget, finances, transactions and relationships of the corporation at any time and may examine the corporation's records and prescribe methods of accounting and the rendering of periodic reports. The audits of the corporation shall be public records; provided, however, that the mayor of the town of Weymouth, the town manager of the town of Abington, or the town administrator of the town of Rockland may each conduct annual audits at the expense of the respective towns.

Section 32. Chapter 40B of the General Laws shall not apply to the provision of affordable housing within the NAS South Weymouth Redevelopment Area. Such affordable housing within the NAS South Weymouth Redevelopment Area shall be governed by the Reuse Plan and zoning bylaws and the regulations adopted thereunder. None of the land located within the NAS South Weymouth Redevelopment Area, nor any of the housing which may be constructed thereon from time to time, shall be included in any calculation applicable to said chapter 40B with respect to any of the towns. This section shall continue in full force and effect following the dissolution of the corporation pursuant to section 33.

Section 33. (a) The corporation shall be dissolved upon: (i) the bond termination date; and (ii) the approval of the dissolution and administration agreement by the towns as described in subsection (b); provided, however, that in no event shall the corporation be dissolved prior to August 13, 2018.

Within 30 days after: (i) the bond termination date; and (ii) such approval of the dissolution and administration agreement, the board shall file a certificate acknowledging such dissolution with the state secretary. The dissolution of the corporation shall take effect upon the filing of such certificate, subject to the applicable provisions of section 51 of chapter 155 of the General Laws. In connection with the application of said section 51 of said chapter 55, any real property owned by the corporation at the time of dissolution shall be deemed to be distributed automatically to and become the property of the town in which it is located, consistent with the dissolution and administration agreement, and the personal property of the corporation shall be equitably allocated to the towns according to the terms of the dissolution and administration agreement; provided, however, that the corporation shall not issue any bonds after the date that the redevelopment of the NAS South Weymouth Redevelopment Area contemplated in the Reuse Plan and zoning by-laws is completed.

(b) At least 24 months prior to the bond termination date, the board shall prepare and distribute to the towns a dissolution and administration

agreement. The dissolution and administration agreement shall provide, but shall not be limited to, the following: (i) provisions for the disposition of all real and personal property within the NAS South Weymouth Redevelopment Area which the corporation owns or has an interest in on the bond termination date; (ii) provisions for the assumption of all contractual obligations, including all lease agreements of the corporation, which do not expire on the bond termination date; (iii) provisions for the assessment, collection and distribution of tax and nontax revenues to the towns in accordance with section 19; (iv) provisions for the reimbursement of municipal services furnished by the towns to the NAS South Weymouth Redevelopment Area which continue after the bond termination date; (v) provisions for the transfer and assumption by the towns of the corporation's zoning administration, licensing and permitting authorities; and (vi) provisions for the resolution of any other matters relating to the corporation which may affect the interests of the towns. Within 120 days after receipt of the dissolution and administration agreement, the mayor of the town of Weymouth shall convene a meeting of the town council of the town of Weymouth and the boards of selectmen of the towns of Abington and Rockland shall convene a town meeting of their respective towns for the purpose of adopting by majority vote of the town council and each town meeting the dissolution and administration agreement. Each town shall vote to adopt or disapprove the agreement as submitted. No amendments to the agreement shall be made by the towns. Each town shall, within 30 days after adoption or rejection of the agreement at a town council meeting or a town meeting, as the case may be, provide the corporation with a written notification stating whether the town council or town meeting adopted or rejected the agreement. Any town that has rejected the agreement shall have 1 year from the date of such disapproval to reconsider its decision and rescind its rejection and adopt the dissolution and administration agreement. Once a town adopts the agreement, it shall not thereafter vote to disapprove or reject it. If all 3 towns have not adopted the agreement at least 1 year prior to the bond termination date, the corporation shall remain in existence and carry out its functions consistent with this act. If the towns fail to adopt the agreement, the general court may, at any time after the bond termination date, terminate the corporation's existence, provide for the distribution of the its assets and determine other provisions as required for the dissolution and administration agreement.

Section 34. Notwithstanding any provision of this act to the contrary, the corporation may enter into and perform its obligations under the Financing MOA and the Financing Agreement referenced therein, including without limitation, reimbursement to the commonwealth of any "deficiency payment," as defined in the Financing MOA, which obligation of the corporation shall constitute a general obligation of the corporation for which the full faith and credit of the corporation shall be pledged for the benefit of the commonwealth. The betterments, assessments, special assessments, fees and other charges established by the corporation in accordance with this act shall be fixed and adjusted so as to provide revenues at least sufficient to pay, in addition to all other amounts set forth in section 18, any amounts that the corporation may be obligated to pay or provide for, pursuant to the Financing MOA or the financing agreement referenced therein. The corporation may collect the data described in sections 3 and 4 of the Financing MOA for the purposes described therein. The corporation may also obtain a blanket performance bond or other security satisfactory to the secretary for administration and finance and payable to the agency securing the corporation's obligation to complete the project in an amount at least equal to the amount of bonds to be issued by the agency to finance the project.

Section 35. The South Shore Tri-Town Development Corporation shall offer new bonds after December 31, 2030 only upon a two-thirds majority vote from the town council of the town of Weymouth and the boards of selectmen of the towns of Abington and Rockland.

Section 36. Sections 23A to 23C, inclusive, of chapter 39 of the General Laws shall apply to the corporation.

SECTION 38. Section 13 of chapter 196 of the acts of 2004 is hereby amended by adding the following paragraph:-

The commission shall expire as of December 31, 2007.

SECTION 39. Section 2E of chapter 291 of the acts of 2004 is hereby amended by striking out item 6001-0405 and inserting in place thereof the following item:-

6001-0405 For the purposes of chapter 161B of the General Laws, including the purchase, long-term lease and rehabilitation of rolling stock, implementation of networking and intelligent transportation systems to provide for interoperability communications and the construction, reconstruction and rehabilitation of regional transit authority facilities and related appurtenances; provided, that not less than \$900,000 shall be made available to the Cape Ann Regional Transit Authority for reimbursement for expenses associated with the purchase, construction and rehabilitation of the Cape Ann maintenance facility; provided further, that

not less than \$500,000 shall be expended to contract with the Massachusetts Alliance for Small Contractors to provide technical assistance to minority and women-owned small businesses as well as other small business concerns in participating in public construction projects; provided further, that not less than \$1,000,000 shall be made available to create and support programs including, but not limited to, programs for: (a) building the capacity of minority and women-owned business enterprises to participate in public construction projects; (b) capturing data on minority and women-owned businesses by industry; and (c) implementing programs and measures to secure federal assistance to support such programs \$25,000,000

SECTION 40. Sections 3 and 4 of chapter 86 of the acts of 2008 are hereby repealed.

SECTION 41. Section 32 of chapter 86 of the acts of 2008 shall expire as of June 30, 2008.

SECTION 42. Notwithstanding any general or special law to the contrary, the harbor lines corrected by sections 35 and 36 shall be shown on a plan to be titled, "The Establishment of New Harbor Lines at Fort Point Channel" and shall bear the effective date of this act. This plan shall be prepared by the department of highways and shall be filed in the office of the department of environmental protection and made available for public inspection.

SECTION 43. Notwithstanding any general or special law to the contrary, the secretary of transportation and public works shall conduct a study regarding the feasibility of establishing a renewable fuels corridor on Cape Cod. The study shall evaluate potential locations for consumers to purchase alternative fuels and biofuels and shall include a plan for the implementation of the corridor. The secretary shall file a report on the findings of the study together with legislation, if any, with the clerks of the senate and the house of representatives, the joint committee on transportation and the senate and house committees on ways and means not later than December 31, 2008.

SECTION 44. Notwithstanding any general or special law to the contrary, the Massachusetts Development Finance Agency may, upon the request of and with the prior written approval of the secretary of administration and finance, issue bonds of the agency in an amount not to exceed \$43,000,000 for the purpose of financing all or a portion of the costs, including costs of issuance of such bonds and other financing costs, of an east-west parkway and other roadway improvements connecting between state highway route 18 in the city know as the town of Weymouth and state highway route 3 in the town of Rockland, and as further described in the Memorandum of Agreement on Financing for the South Shore Tri-Town Development Corporation's Parkway entered into as of January 31, 2008, by and between the commonwealth, acting by and through the executive office for administration and finance and the executive office of transportation and public works and the South Shore Tri-Town Development Corporation, and as it may hereafter be amended from time to time, hereinafter referred to as the "Financing MOA". Bonds issued under this section may be issued under and secured by a trust agreement or a financing document with such terms and conditions as the agency may determine in accordance with this act and chapter 23G of the General Laws and may be refunded from time to time upon the request of and with the prior written approval of administration and finance. No findings of the agency pursuant to chapter 23G or chapter 40D shall be required in connection with the issuance of bonds authorized by this section. Notwithstanding the foregoing, revenues paid to the agency from the commonwealth as provided in section 45 shall be applied solely to the payment of and security for bonds issued for the purposes described in this section, any amounts owed under agreements entered into pursuant to the Financing MOA and any ongoing administrative expenses of the agency related to such bonds. Bonds issued by the agency under this section shall not constitute a debt or a pledge of the faith and credit of the agency or the commonwealth but shall be payable solely from contract assistance pursuant to section 37.

All bonds issued by the agency shall state that the bonds are not a general obligation of the agency or an obligation of the commonwealth but shall be payable solely from the funds specifically pledged for their payment.

SECTION 45. Notwithstanding any general or special law to the contrary, the secretary of administration and finance, acting on behalf of the commonwealth, shall enter into an agreement with the Massachusetts Development Finance Agency providing that the commonwealth shall provide contract assistance for obligations of the agency for a period of not more than 30 years in amounts sufficient to pay debt service on the bonds of the agency issued pursuant to section 44, any amounts owed by the commonwealth pursuant to financing agreements entered into pursuant to the Financing MOA, as described in said section 44, and any ongoing administrative expenses of the agency related to such bonds. Such contract assistance agreement shall provide for the payment by the commonwealth of such amounts at such times during each fiscal year and upon such terms and under such conditions as the

agreement, with the approval of the secretary of administration and finance, shall stipulate. The agency may pledge such agreement and the rights of the agency to receive amounts thereunder as security for the payment of bonds issued by the agency for such purposes. Such contract assistance agreement shall constitute a general obligation of the commonwealth for which the full faith and credit of the commonwealth shall be pledged for the benefit of the agency.

SECTION 46. Notwithstanding any general or special law to the contrary, the secretary of administration and finance and the secretary of transportation and public works, acting on behalf of the commonwealth, may execute and deliver the financing agreement referenced in the Financing MOA, as defined in section 44, and such other agreements and documents as the secretaries determine, to effectuate the issuance of the bonds authorized by said section 44 and to carry out the parkway project as contemplated in the Financing MOA.

SECTION 47. Notwithstanding any general or special law to the contrary, to meet the expenditures necessary in carrying out section 2A, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, \$585,300,000. All bonds issued by the commonwealth as aforesaid shall be designated on their face, Transportation Improvement Loan Act of 2008, and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. All such bonds shall be payable not later than June 30, 2043. All interest and payments on account of principal on such obligations shall be payable from the Highway Fund. Bonds and interest thereon issued under this section shall, notwithstanding any other provisions of this act, be general obligations of the commonwealth; provided, however, that any bonds issued by the state treasurer under this section shall, upon the request of the governor, be issued as special obligation bonds pursuant to section 20 of chapter 29 of the General Laws. In deciding whether to request the issuance of particular bonds as special obligations the governor shall take into account: (i) generally prevailing financial market conditions; (ii) the impact of each approach on the overall capital financing plans and needs of the commonwealth; (iii) any ratings assigned to outstanding bonds of the commonwealth and any ratings expected to be assigned by a nationally-recognized credit rating agency to the bonds proposed to be issued; and (iv) any applicable provisions of chapter 29. All special obligation revenue bonds issued under this section shall be designated on their face, Special Obligation Revenue Transportation Improvement Loan Act of 2008 and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. All such bonds shall be payable not later than June 30, 2043. All principal on such obligations shall be payable from the Infrastructure Fund established in said section 20 of said chapter 29. Special obligation bonds issued under this section shall be special obligations of the commonwealth payable solely in accordance with said section 20 of said chapter 29.

SECTION 48. Notwithstanding any general or special law to the contrary, to meet the expenditures necessary in carrying out section 2B, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, \$410,000,000. All bonds issued by the commonwealth as aforesaid shall be designated on their face, Transportation Improvement Loan Act of 2008, and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. All such bonds shall be payable not later than June 30, 2043. All interest and payments on account of principal on such obligations shall be payable from the Highway Fund. Bonds and interest thereon issued under this section shall, notwithstanding any other provisions of this act, be general obligations of the commonwealth; provided, however, that any bonds issued by the state treasurer under this section shall, upon the request of the governor, be issued as special obligation bonds pursuant to section 20 of chapter 29 of the General Laws. In deciding whether to request the issuance of particular bonds as special obligations, the governor shall take into account: (i) generally prevailing financial market conditions; (ii) the impact of each approach on the overall capital financing plans and needs of the commonwealth; (iii) any ratings assigned to outstanding bonds of the commonwealth and any ratings expected to be assigned by a nationally-recognized credit rating agency to the bonds proposed to be issued; and (iv) any applicable provisions of chapter 29. All special obligation revenue bonds issued under this section shall be designated on their face, Special Obligation Revenue Transportation Improvement Loan Act of 2008 and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. All such bonds shall be payable not later than June 30, 2043. All principal on such obligations shall be payable from the Infrastructure Fund established in said section 20 of said chapter 29.

Special obligation bonds issued under this section shall be special obligations of the commonwealth payable solely in accordance with said section 20 of said chapter 29.

SECTION 49. Notwithstanding any general or special law to the contrary, to meet the expenditures necessary in carrying out section 2C, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, \$284,000,000. All bonds issued by the commonwealth as aforesaid shall be designated on their face, Transportation Improvement Loan Act of 2008, and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. All such bonds shall be payable not later than June 30, 2043. All interest and payments on account of principal on such obligations shall be payable from the Highway Fund. Bonds and interest thereon issued under this section shall, notwithstanding any other provisions of this act, be general obligations of the commonwealth; provided, however, that any bonds issued by the state treasurer under this section shall, upon the request of the governor, be issued as special obligation bonds pursuant to section 20 of chapter 29 of the General Laws. In deciding whether to request the issuance of particular bonds as special obligations, the governor shall take into account: (i) generally prevailing financial market conditions; (ii) the impact of each approach on the overall capital financing plans and needs of the commonwealth; (iii) any ratings assigned to outstanding bonds of the commonwealth and any ratings expected to be assigned by a nationally-recognized credit rating agency to the bonds proposed to be issued; and (iv) any applicable provisions of chapter 29. All special obligation revenue bonds issued under this section shall be designated on their face, Special Obligation Revenue Transportation Improvement Loan Act of 2008 and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. All such bonds shall be payable not later than June 30, 2043. All principal on such obligations shall be payable from the Infrastructure Fund established in said section 20 of said chapter 29. Special obligation bonds issued under this section shall be special obligations of the commonwealth payable solely in accordance with said section 20 of said chapter 29.

SECTION 50. Notwithstanding any general or special law to the contrary, to meet the expenditures necessary in carrying out section 2D, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, \$20,420,000. All bonds issued by the commonwealth as aforesaid shall be designated on their face, Transportation Improvement Loan Act of 2008, and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. All such bonds shall be payable not later than June 30, 2043. All interest and payments on account of principal on such obligations shall be payable from the Highway Fund. Bonds and interest thereon issued under this section shall, notwithstanding any other provisions of this act, be general obligations of the commonwealth; provided, however, that any bonds issued by the state treasurer under this section shall, upon the request of the governor, be issued as special obligation bonds pursuant to section 20 of chapter 29 of the General Laws. In deciding whether to request the issuance of particular bonds as special obligations, the governor shall take into account: (i) generally prevailing financial market conditions; (ii) the impact of each approach on the overall capital financing plans and needs of the commonwealth; (iii) any ratings assigned to outstanding bonds of the commonwealth and any ratings expected to be assigned by a nationally-recognized credit rating agency to the bonds proposed to be issued; and (iv) any applicable provisions of chapter 29. All special obligation revenue bonds issued under this section shall be designated on their face, Special Obligation Revenue Transportation Improvement Loan Act of 2008 and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. All such bonds shall be payable not later than June 30, 2043. All principal on such obligations shall be payable from the Infrastructure Fund established in said section 20 of said chapter 29. Special obligation bonds issued under this section shall be special obligations of the commonwealth payable solely in accordance with said section 20 of said chapter 29.

SECTION 51. Notwithstanding any general or special law to the contrary, to meet the expenditures necessary in carrying out section 2E, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, \$72,000,000. All bonds issued by the commonwealth as aforesaid shall be designated on their face, Transportation Improvement Loan Act of 2008, and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution.

All such bonds shall be payable not later than June 30, 2043. All interest and payments on account of principal on such obligations shall be payable from the Highway Fund. Bonds and interest thereon issued under this section shall, notwithstanding any other provisions of this act, be general obligations of the commonwealth; provided, however, that any bonds issued by the state treasurer under this section shall, upon the request of the governor, be issued as special obligation bonds pursuant to section 20 of chapter 29 of the General Laws. In deciding whether to request the issuance of particular bonds as special obligations the governor shall take into account: (i) generally prevailing financial market conditions; (ii) the impact of each approach on the overall capital financing plans and needs of the commonwealth; (iii) any ratings assigned to outstanding bonds of the commonwealth and any ratings expected to be assigned by any nationally-recognized credit rating agency to the bonds proposed to be issued; and (iv) any applicable provisions of chapter 29. All special obligation revenue bonds issued under this section shall be designated on their face, Special Obligation Revenue Transportation Improvement Loan Act of 2008, and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. All such bonds shall be payable not later than June 30, 2043. All principal on such obligations shall be payable from the Infrastructure Fund established in said section 20 of said chapter 29. Special obligation bonds issued under this section shall be special obligations of the commonwealth payable solely in accordance with said section 20 of said chapter 29.

SECTION 52. Notwithstanding any general or special law to the contrary, to meet the expenditures necessary in carrying out section 2F, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, \$40,000,000. All bonds issued by the commonwealth as aforesaid shall be designated on their face, Transportation Improvement Loan Act of 2008, and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. All such bonds shall be payable not later than June 30, 2043. All interest and payments on account of principal on such obligations shall be payable from the Highway Fund. Bonds and interest thereon issued under this section shall, notwithstanding any other provisions of this act, be general obligations of the commonwealth; provided, however, that any bonds issued by the state treasurer under this section shall, upon the request of the governor, be issued as special obligation bonds pursuant to section 20 of chapter 29 of the General Laws. In deciding whether to request the issuance of particular bonds as special obligations, the governor shall take into account: (i) generally prevailing financial market conditions; (ii) the impact of each approach on the overall capital financing plans and needs of the commonwealth; (iii) any ratings assigned to outstanding bonds of the commonwealth and any ratings expected to be assigned by a nationally-recognized credit rating agency to the bonds proposed to be issued; and (iv) any applicable provisions of chapter 29. All special obligation revenue bonds issued under this section shall be designated on their face, Special Obligation Revenue Transportation Improvement Loan Act of 2008, and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. All such bonds shall be payable not later than June 30, 2043. All principal on such obligations shall be payable from the Infrastructure Fund established in said section 20 of said chapter 29. Special obligation bonds issued under this section shall be special obligations of the commonwealth payable solely in accordance with said section 20 of said chapter 29.

SECTION 53. Notwithstanding any general or special law to the contrary, to meet a portion of the expenditures necessary in carrying out section 2G, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, \$33,366,500. All bonds issued by the commonwealth as aforesaid shall be designated on their face, Transportation Improvement Loan Act of 2008, and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. All such bonds shall be payable not later than June 30, 2043. All interest and payments on account of principal on such obligations shall be payable from the Highway Fund. Bonds and interest thereon issued under this section shall, notwithstanding any other provisions of this act, be general obligations of the commonwealth; provided, however, that any bonds issued by the state treasurer under this section shall, upon the request of the governor, be issued as special obligation bonds pursuant to section 20 of chapter 29 of the General Laws. In deciding whether to request the issuance of particular bonds as special obligations, the governor shall take into account: (i) generally prevailing financial market conditions; (ii) the impact of each approach on the overall capital financing plans and needs of the commonwealth; (iii) any ratings assigned to outstanding bonds of the

commonwealth and any ratings expected to be assigned by a nationally-recognized credit rating agency to the bonds proposed to be issued; and (iv) any applicable provisions of chapter 29. All special obligation revenue bonds issued under this section shall be designated on their face, Special Obligation Revenue Transportation Improvement Loan Act of 2008, and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. All such bonds shall be payable not later than June 30, 2043. All principal on such obligations shall be payable from the Infrastructure Fund established in said section 20 of said chapter 29. Special obligation bonds issued under this section shall be special obligations of the commonwealth payable solely in accordance with said section 20 of said chapter 29.

SECTION 54. Notwithstanding any general or special law to the contrary, in carrying out sections 2A to 2G, inclusive, all agencies within the executive office of transportation and public works may enter into such contracts or agreements as may be appropriate with other state, local or regional public agencies or authorities. Such agreements may relate to such matters as an agency within such executive office shall determine, including, without limitation, the design, layout, construction, reconstruction or management of construction of all or any portion of such projects. In relation to any such agreements, the agency within such executive office may advance monies to such other agencies or authorities without prior expenditure by the agencies or authorities, and the agencies and authorities may accept monies necessary to carry out such agreements; provided, however, that the agency within such executive office shall certify to the comptroller the amounts so advanced; provided further, that such agreements shall contain provisions satisfactory to the agency within such executive office for the accounting of such monies as expended by any other agency or authority; and provided further, that all monies not expended under any such agreement shall be credited to the account of the agency from which they were advanced. Agencies within such executive office shall report to the house and senate committees on ways and means on any transfers completed pursuant to this section.

SECTION 55. (a) Notwithstanding any general or special law to the contrary, the department of highways shall expend the sums authorized in sections 2A, 2B and 2G for the following purposes: projects for the laying out, construction, reconstruction, resurfacing, relocation or necessary or beneficial improvement of highways, bridges, bicycle paths or facilities, on- and off-street bicycle projects, sidewalks, telecommunications, parking facilities, auto-restricted zones, scenic easements, grade crossing eliminations and alterations of other crossings, traffic safety devices on state highways and on roads constructed under section 34 of chapter 90 of the General Laws, highway or mass transportation studies, including, but not limited to, traffic, environmental or parking studies, the establishment of school zones in accordance with section 2 of chapter 85 of the General Laws, improvements on routes not designated as state highways without assumption of maintenance responsibilities and, notwithstanding any general or special law to the contrary, projects to alleviate contamination of public and private water supplies cause by the department's storage and use of snow removal chemicals which are necessary for the purposes of highway safety and for the relocation of persons or businesses or for the replacement of dwellings or structures including, but not limited to, providing last resort housing under federal law and such functional replacement of structures in public ownership as may be necessary for the foregoing purposes and for relocation benefits to the extent necessary to satisfy the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. 4601 et seq., Pub. L. 97-646, 84 Stat. 1864 (1971), and to sell any structure the title to which has been acquired for highway purposes. When dwellings or other structures are removed in furtherance of any of the foregoing projects, the excavations or cellar holes remaining shall be filled in and brought to grade within 1 month after such removal. In planning projects funded by said sections 2A, 2B and 2G, consideration shall be made, to the extent feasible, to accommodate and incorporate provisions to facilitate the use of bicycles and walking as a means of transportation; provided, however, that nothing in this section shall be construed to give rise to enforceable legal rights in any party or a cause of action or an enforceable entitlement as to the projects described in this section.

(b) Funds authorized in sections 2A, 2B and 2G shall, except as otherwise specifically provided in this act, be subject to the first paragraph of section 6 and sections 7 and 9 of chapter 718 of the acts of 1956, if applicable, and, notwithstanding any general or special law to the contrary, may be used for the purposes stated in this act in conjunction with funds of cities, towns and political subdivisions.

(c) In addition to the foregoing, the department of highways may: expend funds made available by this act to acquire from a person by lease, purchase, eminent domain under chapter 79 of the General Laws or otherwise, land or rights in land for parking facilities adjacent to a public way to be operated by the department or under contract with an individual; expend funds made available by this act for the acquisition of van-type vehicles used for

multi-passenger, commuter-driven carpools and high-occupancy vehicles including, but not limited to, water shuttles and water taxis; and, in accordance with all applicable state and federal laws and regulations, exercise all powers and do all things necessary and convenient to carry out the purposes of this act.

(d) In carrying out this section, the department of highways may enter into contracts or agreements with cities to mitigate the effects of projects undertaken pursuant to this act and to undertake additional transportation measures within the city and may enter into such contracts or agreements with other state, local or regional public agencies, authorities, nonprofit organizations or political subdivisions as may be necessary to implement such contracts or agreements with cities. Cities and other state, local or regional public agencies, authorities, nonprofit organizations or political subdivisions may enter into such contracts or agreements with the department. In relation to such agreements, the department may advance to such agencies, organizations or authorities, without prior expenditure by such agencies, organizations or authorities, monies necessary to carry out such agreements; provided, however, that the department shall certify to the comptroller the amount so advanced; provided further, that all monies not expended under such agreement shall be credited to the account of the department from which they were advanced. The department shall report to the house and senate committees on ways and means on any transfers completed pursuant to this subsection.

SECTION 56. Notwithstanding any general or special law to the contrary, the executive office of transportation and public works and the department of highways shall take all necessary actions to secure federal highway or transportation assistance which is or may become available to said executive office or department including, but not limited to, actions authorized under or in compliance with Title 23 of the United States Code, the Surface Transportation Act of 1987, Pub. L. 100-17, the Intermodal Surface Transportation Efficiency Act of 1991, Pub. L. 102-240, the Transportation Equity Act for the 21st Century, Pub. L. 105-178, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, Pub. L. 109-59, Implementing Recommendations of the 9/11 Commission Act of 2007, Pub. Law 110-53 and any successor acts or reauthorizations of those acts, and actions such as filing applications for federal assistance, supervising the expenditure of funds under federal grants or other assistance agreements and making any determinations and certifications necessary or appropriate to the foregoing. If a federal law, administrative regulation or practice requires an action relating to such federal assistance to be taken by a department, agency or other instrumentality of the commonwealth other than the department of highways, such other department, agency or instrumentality shall take such action.

SECTION 57. Notwithstanding any general or special law to the contrary, the Merrimack Valley Regional Transit Authority transportation center, to be built at the Lower Millyard in the city know as the town of Amesbury, shall be designated and known as the Senator Nicholas J. Costello Transportation Center, in honor of Nicholas Costello, former state senator of the Third Essex District and former mayor of Amesbury. The Merrimack Valley Regional Transit Authority shall erect and maintain suitable markers bearing the designation in compliance with applicable state and federal standards.

SECTION 58. Notwithstanding any general or special law to the contrary, the executive office of transportation and public works shall update the Lower North Shore Transportation Improvement Study by preparing and including in the study the feasibility and costs associated with the following items: the widening of state highway route 1A from Curtis street to Mahoney circle; a grade separation at state highway route 1A and Boardman street; a grade separation at Mahoney circle; a grade separation at Revere street; a grade separation at Brown circle; a grade separation at Copeland circle; the establishment of a state highway route 1A and state highway route 16 connection, the establishment of a state highway route 1A and Chelsea street bridge connection; improvements to the interstate highway route 1 and state highway route 16 interchange; improvements at Butler circle; as well as the depression of tolls at the entrance to the Sumner tunnel and the exit of the Callahan tunnel. The report shall be submitted to the Joint Committee on Transportation not later than July 1, 2009.

SECTION 59. Notwithstanding any general or special law to the contrary, the owner, licensee, permittee or holder of an easement, contract or other right, in this section called the air space user, of or with respect to any structure, including bridges, located above the established grade line of the turnpike, the Ted Williams tunnel, the central artery north area and the central artery, as those terms are defined in chapter 81A of the General Laws, are hereby required to maintain, repair, restore, reconstruct, rehabilitate, or improve air rights structures and airspace at such airspace user's expense in accordance with the requirements of the Massachusetts turnpike authority's policy directive entitled "Tunnel Inspection and Testing Protocol for Roadways Covered by Air Rights Developments," effective as of December 14, 2007, as the same may be modified and/or amended by the authority from time to time, and with any directives issued by the authority in connection with such policy.

Without limiting the generality of its other powers, the authority may do all things necessary, convenient or desirable to enforce this section, to maintain, repair, restore, reconstruct, rehabilitate or improve air space structures and air space at the air space user's expense, to enter upon the property of an air space user to exercise any of the foregoing powers and such entry shall not be deemed trespass nor shall an entry for such purposes be deemed an entry for condemnation proceedings which may be then pending, to impose a civil penalty in an amount of up to \$5,000 per day on an air space users for failure to comply with this section, which penalty may be recovered only after notice and hearing conducted by the authority or its designee and subject to judicial review and enforcement pursuant to chapter 30A of the General Laws or such other civil proceedings as may be authorized by state or federal law. The full amount of any civil penalty shall be paid to the authority. Nothing in this section shall abrogate any private right created by contract or otherwise.

SECTION 60. Notwithstanding any general or special law to the contrary, all construction contracts funded in whole or in part by the funds authorized by this act or by chapter 86 of the acts of 2008 shall include a price adjustment clause for each of the following: fuel, both diesel and gasoline, asphalt, concrete and steel. A base price for each material shall be set by the awarding authority or agency and included in the bid documents at the time a project is advertised. The awarding authority or agency shall also identify in the bid documents the price index to be used for each material or supply. The adjustment clause shall provide for a contract adjustment to be made on a monthly basis when the monthly cost change exceeds +/- 5 per cent.

SECTION 61. Notwithstanding any general or special law to the contrary, section 61 and sections 62A to 62I, inclusive, of chapter 30 of the General Laws, chapter 91 of the General Laws and section 40 of chapter 131 of the General Laws shall not apply to bridge projects of the department of highways and the Massachusetts Bay Transportation Authority for the repair, reconstruction, replacement or demolition of existing state highway, authority and municipally-owned bridges, including the immediate approaches necessary to connect the bridges to the existing adjacent highway and rail system, in which the design is substantially the functional equivalent of, and in similar alignment to, the structure to be reconstructed or replaced; provided, however, that said section 61 and said sections 62A to 62I, inclusive, of said chapter 30 shall apply to the repair, reconstruction, replacement or demolition project where such project requires a mandatory environmental impact report under the applicable provisions of 301 CMR 11.00; provided further, that all such work shall be subject to the requirements of the then current edition of the department of highways' Stormwater Handbook as approved by the department of environmental protection in accordance with applicable law, that notice shall be published in the Environmental Monitor of any application to said department of environmental protection for a water quality certification, and that the work shall be subject to performance standards prescribed by said department of environmental protection pursuant to section 401 of the Federal Clean Water Act if applicable to the project; provided further, that notwithstanding the foregoing, said section 61 and said sections 62A to 62I, inclusive, of said chapter 30, said chapter 91, and said section 40 of said chapter 131 shall apply to any portions of the bridge and roadway approaches to the crossing of the Charles river for the Central Artery/Tunnel Project. the case of any state highway, authority or municipal bridge crossing over a railroad right-of-way or railroad tracks, the department or authority, as applicable, shall seek the opinion of a railroad company, railway company or its assigns operating on the track of a necessary clearance between the track and the bridge, but the department and the authority and their agents or contractors may enter upon any right-of-way, land or premises of a railroad company or railway company or its assigns for purposes that the department or authority may consider necessary or convenient to carry out this section. If a flagman is needed to carry out this section, the railroad company, railway company or its assigns shall provide the flagman. For the purposes of this section, "bridge" shall include any structure spanning and providing passage over water, railroad right-of-way, public or private way, other vehicular facility or other area. Any project exempted from any provision of law pursuant to this section shall be subject to the public consultation process required by the then current version of the department of highways' Project Development and Design Guidebook.

SECTION 62. For the purposes of this section the following words shall have the following meanings:-

"Minority", a person with permanent residence in the United States who is Black, Portuguese, Western Hemisphere Hispanic, Asian, Native American or Cape Verdean.

"Minority business enterprise", an individual, business organization or nonprofit corporation which is certified as a minority business enterprise as defined in section 40 of chapter 23A of the General Laws by the state office of minority and women business assistance established in section 41 of said chapter 23A.

"Women business enterprise", an individual, business organization or nonprofit corporation which is certified as a women business enterprise by

the office; provided, however, that based upon the history of discrimination against minority and women business enterprises as determined by the results of the disparity study conducted pursuant to subsection (s) of section 3 of chapter 33 of the acts of 1991 and any other disparity studies thereafter conducted by the executive office of transportation and public works and its agencies, the executive office of transportation and public works, the Massachusetts Bay Transportation Authority, the department of highways and the Massachusetts aeronautics commission shall promote equality in the market by encouraging the full participation of minority and women owned businesses in all areas of state contracting, including contracts for construction, design and goods and services. Each agency, commission, authority and political subdivision shall implement a narrowly-tailored affirmative market program as set forth in Executive Order 390 which shall include race and gender conscious contracting goals when necessary to eliminate disparity between minority and women owned businesses and other business entities in the relevant market. Each such agency, commission, authority and political subdivision shall develop a comprehensive 5-year plan, to be updated and approved by the secretary of administration and finance on an annual basis, to encourage the participation of minority and women owned business enterprises in all aspects of public contracting including, but not limited to, programs for building the capacity of minority and women owned business enterprises, programs for capturing information on Massachusetts businesses by industry and programs for implementing measures required to secure federal aid.

The secretary of transportation and public works and the executive officer of each such agency, commission, authority or political subdivision shall monitor the implementation of this section to ensure that the best efforts of each agency, commission, authority and political subdivision are utilized in the implementation of this section. Each such agency, commission and authority shall provide written quarterly reports to its respective secretary and to the secretary of administration and finance and each such political subdivision shall provide written quarterly reports to the office granting or otherwise providing funds authorized in this act and to the secretary of administration and finance. The quarterly reports shall detail the total number of contracts entered into, the dollar value of each contract, the number of contracts entered into with minority and women owned business enterprises and the dollar value of each contract entered into with said enterprises.

Notwithstanding any general or special law to the contrary, each executive office, agency, commission, authority or political subdivision may initiate state office of minority and women business assistance certification of minority and women business enterprises in a manner consistent with the rules and regulations promulgated by said office. If an executive office, agency, commission, authority or political subdivision makes a referral that a business may be a minority or women owned business enterprise, such referral, together with supporting documentation and a letter indicating the intent of the executive office, agency, commission, authority or political subdivision to contract with the business, shall be sent to said office, which shall approve or disapprove said business within 25 business days. Upon the certification of a business as a minority or women owned business enterprise by the office, such certification shall be effective for all executive offices and agencies for the purposes of this section.

SECTION 63. Notwithstanding any general or special law to the contrary, the secretary of transportation and public works in consultation with the secretary of administration and finance shall establish a financing plan to end the current system of retroactive reimbursement of the regional transit authorities established pursuant to chapter 161B of the General Laws. The financing plan may include and the secretary may use capital bond funds in whole or in part to finance the transition of regional transit authorities to a current funding system. The Secretary may use any other available funds in addition to or in place of bond funds necessary to establish a current financing system.

SECTION 64. The secretary of administration and finance shall submit a report on the progress and all expenditures related to the projects specified in this act and any other projects funded through the authorizations in this act to the clerks of the senate and house of representatives, the chairs of the senate and house committees on ways and means and the senate and house chairs of the joint committee on transportation. The report shall include, but not be limited to: the total amount appropriated for each project, the total estimated cost of each project, the amount expended for the planning and design of each project up to the time the report is filed, the amount expended on construction of each project up to the time the report is filed, the total amount currently expended on each project, the estimated lifetime maintenance schedule and cost of each project, the original estimated completion date of each project, the current anticipated completion date of each project and, if the project has been de-authorized, the reason for and date of de-authorization. The report shall be submitted on June 30 and December 31 of each year for a period of 6 years after the effective date of this act.

SECTION 65. The department of highways shall submit a report to the clerks of the senate and house of representatives, the house and senate committees on ways and means, the joint committee on bonding, capital expenditures and state assets and the joint committee on transportation not later than June 30, 2009, on the cost and feasibility of installing rumble strips on all state-owned highways. The report shall include the cost and feasibility of installing rumble strips on all rural highway projects where shoulders are constructed, reconstructed, or overlaid. The report shall include the evaluation of the placement of center line rumble strips at locations with a high head-on-crash accident rate and on which no reconstruction is scheduled in the near future.

SECTION 66. There shall be a special commission to study and develop recommendations for the fiscal feasibility of reducing debt and debt financing relative to the operation and maintenance of the Massachusetts turnpike. The commission shall review all options for the long-term financing of operations and maintenance of the turnpike including, but not limited to, the leasing or concessioning of the turnpike for a term not to exceed 50 years. Membership of the commission shall consist of the secretary of administration and finance or his designee, who shall also serve as chair; the secretary of transportation and construction or designee; the chair of the Massachusetts Turnpike Authority; the state comptroller or his designee; the state auditor or his designee; the president of the senate or her designee; the speaker of the house of representatives or his designee; the house minority leader or his designee; the senate minority leader or his designee; the chairs of the senate and house committees on ways and means or their designees; and the senate and house chairs of the joint committee on transportation. The commission shall convene its first meeting not later than August 15, 2008, and shall file a report, with any legislative or regulatory recommendations, with the clerks of the senate and the house of representatives and the joint committee on transportation not later than December 15, 2008.

SECTION 67. The Massachusetts Turnpike Authority shall issue quarterly reports to the secretary for administration and finance, the house and senate committees on ways and means, the joint committee on transportation and the joint committee on bonding, capital expenditures and state assets detailing the financial transactions and revenues associated with the sale, concession or lease of real property held in the name of or under the control of the authority, whether by purchase or otherwise, and any transactions relating to real property currently pending; provided further, that the quarterly report shall include the current market values of the real properties related to those transactions.

For the first quarterly report submitted pursuant to this section for fiscal year 2009, the authority shall include the current market value of all real property held in the name of or subject to the control of the authority and the current market value of any real property held in the name of or under the control of the authority that were acquired, whether by purchase or otherwise, during fiscal year 2008.

SECTION 68. Notwithstanding any general or special law to the contrary, the Massachusetts Turnpike Authority and the Massachusetts Bay Transportation Authority shall undertake and complete, subject to the owners' consent and including providing the owners with assistance in securing any required zoning approvals or other permits and authorizations, the relocation of the outdoor advertising signs located within Bremen Street Park or the East Boston Greenway in the East Boston section of the city of Boston to land owned by the Massachusetts Turnpike Authority within the metropolitan highway system, as defined in chapter 81A of the General Laws and/or to land owned by the Massachusetts Bay Transportation Authority; provided, however, that no relocation expenses shall be paid to the owners of the outdoor advertising signs; and provided further, that the relocation shall be completed not later than December 31, 2009.

SECTION 69. Not later than 6 months after the effective date of this act, the secretary of transportation and public works shall submit to the clerks of the senate and house of representatives, the chairs of the joint committee on transportation and the chairs of the house and senate committees on ways and means a detailed timeline and funding schedule for the transfer of 80 per cent of all workers at the executive office of transportation and public works and the department of highways whose salaries and benefits are funded through the proceeds of bond sales to the operations accounts of those agencies by 2013.

SECTION 70. Notwithstanding any general or special law or rule or regulation to the contrary, the commissioner of highways shall undertake a pilot project within a district or sub-district of the department, as determined by the commissioner, for the purpose of measuring the effectiveness of performance-based contracting for the maintenance of reflective pavement markings and roadway signs of the department. Not later than 30 days after the completion of the pilot project, the department shall submit its findings to the house and senate chairs of the joint committee on transportation.

SECTION 71. Notwithstanding any general or special law to the contrary, the executive office of transportation and public works, the department of

highways and the department of conservation and recreation shall conduct an assessment of the condition of each bridge spanning the Charles River in the cities of Boston and Cambridge and in the town of Watertown. Said assessment shall include an analysis of projected traffic volumes for each such bridge through 2040. The findings of said assessment shall be submitted to the joint committee on transportation and the joint committee on environment, natural agriculture no later than December 31, 2009.

SECTION 72. Notwithstanding any general or special law to the contrary, the executive office of transportation and public works, the department of highways and the conservation and recreation shall consult with the cities of Boston and Cambridge and other stakeholders including, but not limited to, state elected officials representing Boston and Cambridge, medical institutions in the Leverett circle area, and residential community organizations in Cambridge and in the West End, Beacon Hill, and Back Bay neighborhoods of Boston to develop and implement: (i) a coordinated schedule and comprehensive phasing plan for implementation during the reconstruction of the Longfellow reconstruction or replacement of the Storrow Drive tunnel, in order to promote mobility in the Kendall square, Leverett circle and Cambridge street areas of said cities during reconstruction or replacement of said facilities; (ii) a comprehensive emergency mobility plan in the event of a construction phase emergency in connection with the reconstruction of the Longfellow bridge and the Storrow drive tunnel; and (iii) a comprehensive, integrated traffic mitigation plan addressing traffic impacts associated with the simultaneous or overlapping reconstruction or replacement of the Longfellow bridge and the Storrow drive tunnel. Said plans shall each be submitted to the joint committee on transportation and the joint committee on environment, natural resources and agriculture no later than December 31, 2009.

SECTION 73. Notwithstanding any general or special law, regulation or executive order to the contrary, no expenditure of public funds for the purpose of designing or constructing all or part of the "Urban Ring project," so-called, shall be authorized unless the joint committee on transportation, the house and senate committees on ways and means, the representative to the General Court and the senator to the General Court within whose legislative district such project would occur receives notice 90 days prior to said expenditure. Said notification shall include, but not be limited to, a full accounting of all proposed construction, demolition or alteration of any structures or roadways, alteration of any natural features and any proposed takings of private property. Said department shall respond to any requests from said committees or members of the general court within 10 days of receiving a request and shall provide any documents, figures or plans requested unless the secretary determines in writing that distribution of requested materials would constitute a threat to public safety. Such determination shall be transmitted to the joint committee on transportation, the house and senate committees on ways and means, the representative to the general court and the senator to the general court within whose legislative district such project would occur within 10 days of receipt of a request.

SECTION 74. Notwithstanding any general or special law to the contrary, Massachusetts Department of Highways, hereinafter "the department", may hire outside consultants, that have been previously reviewed to determine their capabilities to perform, for review and analysis of applications for access or signal permits where the department determines it appropriate to expedite such review, provided that the applicant for said permit fully funds the cost of an appropriate consultant for the review and analysis of the application.

The department must choose consultants who meet the minimum qualifications of either an educational degree in or related to the field at issue, or 3 or more years of practice in the field at issue or a related field. The fees for the outside consultants shall be borne solely by the permit applicant. Such fees shall be reasonable and reflect the actual cost for the services of the consultants.

The applicant paying the fee is entitled to an administrative appeal to the Commissioner regarding the selected consultant or the fees. Any such appeal is limited by law to claims that the selected consultant has a conflict of interest or does not possess the minimum required qualifications. The required time limits for action upon an application by the department shall be extended by the duration of the administrative appeal. A decision upon said appeal shall be made by the department within 30 days of the filing of the appeal. Such an administrative appeal shall not preclude further judicial review, if otherwise permitted by law.

Notwithstanding any general or special law to the contrary, the department shall deposit all fees for outside consultants into a separate expendable trust fund which shall be designated and known as the Commonwealth of Massachusetts Highway Access Expendable Trust. The Highway Access Expendable Trust, including accrued interest, if any, shall be expended at the direction of the department without further appropriation; provided, however, that such funds are to be expended by the department solely for the purpose of hiring outside consultants to assist the department in its permit application reviews. The fees may not be used to pay for the services of department employees. Any excess amount in the account attributable to a specific project, including any accrued interest, shall be repaid to the

applicant or to the applicant's successor in interest upon satisfactory proof of the filing of the final action and decision of the department. No expenditure shall cause the fund to be in deficit at the end of the fiscal year. A final report of said account activities and interest shall be made for each project and provided to the applicant or to the applicant's successor in interest on the applicant's written request.

The department shall revise such regulations as may be necessary to effectuate the purposes of this section.

SECTION 75. (a) The secretary of transportation and public works, in consultation with the secretary of administration and finance, shall direct the Massachusetts Turnpike Authority and the Massachusetts Port Authority to determine the amount which may be available to the commonwealth in federal capital credits in accordance with the toll credit for non-federal share program under Section 1905 of the SAFTEA-LU Authorization Act.

The secretary of transportation and public works shall further in accordance with 23 U.S.C. 120(j)(2) make the determination of maintenance of effort required for the commonwealth to apply for toll credit from the Federal Highway Administration. The secretary shall follow the guidance issued by said administration's toll credit for non federal share Section 1905 of SAFTEA-LU Guidance memorandum issued February 8, 2007. The secretary shall further determine if the commonwealth has any unobligated balance of federal funds for any transportation agencies which are included in the commonwealth's federal funds obligation including, but not limited to, highway, transit or intelligent transportation program funds. If any such unobligated funds are available, the secretary shall take all steps necessary to maximize available federal credits by implementing the federal toll credit provision of Section 1905 of the federal SAFTEA-LU Authorization Act; provided, however, that not less than 25 per cent of the funds collected from this program shall be dedicated to capital and other appropriate expenditures for regional transit authorities.

(b) No revenue derived from this section shall be expended until such time as sufficient funds have been made available by the Commonwealth to forward fund, so called, the regional transit authorities, provided, however, that 25% of the revenue derived from this section shall be provided for capital and other eligible activities for regional transit authorities not including any costs associated with forward funding. The portion of the revenue to be provided for the activities of regional transit authorities shall be deposited in the Regional Transit Authorities Forward Funding Trust Fund.

SECTION 76. Parcel 2102442005 in Suffolk county shall be designated and known as Robert Q. Crane Park. The department of conservation and recreation shall erect and maintain a suitable marker bearing the designation in compliance with the standards of the department.

SECTION 77. Section 4G of chapter 16 of the General Laws shall apply to an underground utility or utility location project eligible for federal reimbursement having commenced on or after January 1, 2008.

SECTION 78. Section 37 shall take effect on the effective date of this act.

Approved August 8, 2008.